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THE
PROCEEDINGS

AT THE

Sessions of the Peace, Oyer and Terminer,

FOR THE

CITY of LONDON,

AND

County of MIDDLESEX,

ON

FRIDAY the 4th, SATURDAY the 5th, MONDAY the 7th,

and TUESDAY the 8th of DECEMBER,

In the 15th Year of His MAJESTY's Reign.

NUMBER I. for the YEAR 1742.

BEING THE

First SESSIONS in the MAYORALTY

OF THE

Right Hon^{ble} Sir Robert Godschall, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

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THE PROCEEDINGS

AT THE

Sessions of the Peace, Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable Sir ROBERT GODSCHALL, Knt. Lord-Mayor of the City of London; Mr. Justice CHAPPLE; Mr. Baron ABNEY; Mr. Baron REYNOLDS; Mr. Serjeant URLIN, Deputy-Recorder, and others his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City and County of Middlesex.

London Jury:

Middlesex Jury.

John Andrews,
John Paine,
Moses Alnut,
John Phillibrown,
John Haines,
George Randal,
John Wood,
Jacob Winder,
Henry Jones,
John Chapman,
Thomas Ward,
Matthew Davis.

Samuel Chandler, Gent.
Thomas Cogan,
John Soleby,
Samuel Warburton,
William Heritage,
Joseph Rosamond,
George Harrington,
Joseph Bishop,
Samuel Foister,
Jonathan Rogerson,
Edward Toft,
William Atkinson.

1. Elizabeth Jackson, alias Holmer, was indicted for stealing an Half-hundred Weight of Lead, Value 5s the Goods of Richard Godfrey, November 10, Guilty.

2, 3. John Dean, and John Flexmore, of Harrow, were indicted (with Robert Flexmore, not taken) for that they, after the first of May, 1741, viz. November 6, a Weather Sheep, Value 10s. the Property of Daniel Hawkins, feloniously and wilfully they did kill, with Intent to steal the same, against the Form of the Statute, &c.

Daniel Hawkins: On Sunday Morning, the 18th of last Month, I sent my Servant into my

Grounds to fetch up eighteen Sheep; I did design to go to Smithfield with two Calves, so I thought I would take some Sheep with me. My Servant brought but seventeen, and told me one was missing; upon which, I told them myself, and thinking perhaps I might get it again, I obtained a Warrant from Justice Clitherow to search for it. I had some Suspicion of Dean, and Flexmore's Father; and I went to Dean's House, and after we had examined him, and his House pretty tightly, he confessed that he, John Flexmore, and Robert Flexmore, went out on the Friday Night, and drove the Sheep up into a Corner, and kill'd it, and then carried it Home to Flexmore's House. Upon this, we went to Robert Flexmore's to make Enquiry, and at the Top of the House the Constable found something wrapp'd up, which proved to be a Leg of Mutton. I brought Dean behind me to Town, and told him he had as good tell me what he had done with the Skin, and he said, Master we threw it into a Cart-rut; and the next Day I sent my Boy, and he pulled the Skin out of the Rut, with a Fork: It was in a by-lane where Carts do not go sometimes for two Months. He found the Skin and shewed it to me, but I can't swear it was mine, for it was cut into ten Pieces I believe.

Westmore, Constable. Mr. Hawkins brought the Search Warrant to me, and I went to search Dean's House. I took him upon Suspicion, and when we had him out of Doors, he confessed that he, with the two Flexmore's went into Hawkins's Ground's on the Friday Night before, killed the Sheep there, and brought it home in a Sack.

Q. Did you hear John Flexmore say any Thing?

Westmore. When Mr. De Veil examined him, he

he said, he was one of them: I never heard him say any Thing more than that.

Hawkins. *Flexmore* said in my hearing, that they went out about ten or eleven at Night, and that he was with his Father and *Dean* when the Sheep was killed.

John Francis. I am Brother to *Flexmore's* Mother, and I never heard no Harm of him in my Life.

Samuel Dyson. I know *John Flexmore* very well; he lived with me three Years as a Servant, and always did what I commanded him without making Words, and I believe it was through his Father that he did that Act that he did.

George Watson. *Flexmore* lived with me; and as for *Dean*, he was a Neighbour, but I can say nothing to him. I never saw any other than Honesty, by *Flexmore*, all the Time he lived with me.

Dean guilty Death. *Flexmore* Acquitted.

4. *Jane Benfield*, was indicted for privately stealing a Guinea, a half Guinea, a Moidore, and 1 l. 7 s. the Money of *William Herne*, from his Person, *October 20.*

Wm. Herne. About five or six Weeks ago I had been out about some Business, and had drank too much, and the Prisoner enticed me from Place to Place, to go to her Lodging with her. Accordingly she took me to a House in *Rag-Fair*, and there picked my Pocket while I lay backwards on the Bed.

Q. Why did not you seize her?

Herne. It was two or three Hours afterwards before I could, for she ran out of the House. My Money was in three Papers, and I had put it into a Bag to pay three Persons that I dealt with.

Q. What Business are you?

Herne. I am Master of a small Vessel, and trade from *London* to *Ipswich*; and this Money I brought from *Ipswich* to pay away.—I have never had it again.

Prisoner. I was going through *Rag Fair* for a Pound of Mutton Stakes, and met the Prosecutor, he was pulling some Women about, and me among the rest. I asked him what he wanted? he said so and so, and went to be rude with me, but I got from him. He watched me Home, and I was no sooner got up Stairs but he followed me, and swore he would lie with me. There was another Woman in the Room, whom he desired to fetch a full Pot of Beer. I told him I would go myself, and he gave me a Shilling, and I brought him the Change.

Herne. There was another Woman in the Room, but the Prisoner was the Person that did

the Fact, and we never had any Drink, or any Thing at all. Acquitted.

5, 6. *William Warner* alias *Goody Warner*, and *John Newman*, of *St. James's Clerkenwell*, were indicted for assaulting *William Blackburn* on the King's Highway, putting him in Fear, &c. and taking a Silver Watch, value 4 l. 2 Iron Keys, value 2 d. a Quart Glass Bottle filled with Brandy, value 1 s. and a Copper Pocket Piece, value 1 d. and 5 s. in Money, Nov. 1.

At the Prisoner's Desire the Witnesses were examined apart.

Wm. Blackburn. On Sunday Morning the first of last Month, a little before one o'Clock, I was going up towards *Islington*, and very near *Sadler's Wells* back Gate, he in the blue grey Coat and red Waistcoat (*Warner*) came up to me with a Hanger in his Hand.

Pris. Warner. He swore before the Justice, that I had the Pistol.

Blackburn. Another came up, whom I take to be the other Prisoner, with a Horse Pistol in his Hand, and they damn'd me, and bid me deliver my Money. I dropped my Watch in the Grass, thinking to save it, and I had a Bottle of Brandy on my left Side, and *Warner* took it out of my Pocket, and the other took 5 s. and two Box Keys. *Warner* happen'd to see my Watch lie in the Field, and he said, D——n me Jack, here, I have got his Watch! come along Jack! and then I saw them go along the Field together, and presently I saw a Man lying at length, and heard him cry O Dear! Upon that one of them said, he had a good Mind to turn again and shoot him through the Head, and the other said, he deserved his Brains blown out, and they would do it. I passed them, and went up to *Squire Edward's* Brewhouse, at the *Woolpack*, for some of their Men to come and see what was the Matter with the Man, and while I was there the Man himself (*Charles Shippey*) came up.

Q. What Sort of a Night was this?

Blackburn. A Star light Night.

Q. Could you distinguish the Persons?

Blackburn. Yes, very well.

Prisoner Warner. How came you to take us up?

Blackburn. I described their Persons, and on the Tuesday following they were taken on Suspicion of House-breaking, and sent to the Gatehouse, where we saw them.—They were both taken up on the Tuesday, and *Warner* only was sent to the Gatehouse, and we saw him there the next Day.

Q. What is your Employment?

Blackburn. I am Servant to Mr. *Forcer*, and have

have lived with him three Years, and the Night this happened, I had been at *Goodman's Fields* to a Benefit there.

Q. How were the Persons dressed that robbed you?

Blackburn. *Warner* was in the same Dress as he is in now, but *Newman* was not.

Prisoner Newman. The Almanack will convince these People that it was a dark Night. Here is a Frock, and he swore I had not a Frock on. This is a Frock.

Q. What, that which you had on then?

Newman. Yes my Lord; he saw me in Goal in this Frock. Ask him whether it was not a dark Night?

Blackburn. It was between twelve and one in the Morning, and Star-light.

Charles Shippey. The two Prisoners met me, and knock'd me down, and after I had recovered myself, I walk'd to Mr. *Edwards's* Brewhouse, and there I saw *Blackburn*. He said, he had been robb'd, and I told him, I believed they had broke my Skull, but I would go back and see for my meat and Potatoes. After they had robbed me, *Warner* said, here comes another, and I turned my Head as quick as he spoke, and saw Mr. *Blackburn* in his white Apron, and he told me, he had lost his Watch, and five Shillings, a Half penny, a Pocket piece, and a Quart of Brandy.

Q. How long was that after they had robbed you?

Shippey. Not two Minutes.

Q. Was it in the same Place?

Shippey. I believe it was ten or twelve Yards distant.

Q. Were they in the Place where *Blackburn* was robbed?

Shippey. Yes, they ran from me to him. *Warner* ran first, and as he was going along, I took him a Drive to knock him down, and I hurt my Hand in two Places. He had a Horse-Pistol in his Hand, and when I took him that Blow, *Newman* knock'd me down again; I can't tell with what, for I lay senseless.

Q. Where they the Persons that robbed you?

Shippey. Yes, *Warner* came up to me, and ran his Pistol to my Breast: I said, Friend, I have nothing about me worth your taking. He put his Hand into one Pocket and found nothing, but in my other Pocket, I had three Shillings, which he took from me, and I believe he would not have taken my Meat, if I had not struck him.

Q. Was this before *Blackburn* was robb'd?

Shippey. Yes, as soon as he had taken the three Shillings out of my Pocket, he said, here

comes another, and I turned my Head, and saw a Man in a white Apron; so I took him a Knock, and thought I would have another when *Blackburn* came up, imagining he might take my Part; but they knocked me down, and immediately went up to him, and the last Words I heard them say, were, D—— his B——d, I have a good Mind to go back and shoot him through the Brains, for he deserves it. It was a Star-light Night, and the Watch were going Twelve when we came through *Wood's-Glaze*.

Q. When did you see them afterwards?

Shippey. *Warner* was sent to the Gatehouse, and *Newman* to Bridewell, and there I saw them the Wednesday following.

Newman. Please to see whether it was a Star-light Night.

Shippey. It was a Star-light Night.

Warner. Did it Rain?

Shippey. No.

Warner. I hope you will look into it, and see whether it did or no.

Charles Revington. I know no more than that I have seen the two Prisoners together Day and Night. — I am a Marshal's Court Officer.

Warner. He is a Thief-taker.

Revington. Mr. *Blackburn* was at our House, and left Word that he wanted to speak with me, and when I saw him, he informed me he had been robbed by a Man in a blue grey Coat, and another in a brown Frock. Afterwards hearing that these Men were taken, I desired him to go and look at them, and I went with him and *Shippey*, and they were positive to the Men. I have seen them frequently in the Street passing and repassing in the Night-time.

Q. What Business had you up in the Night-time?

Revington. I have attacked some of their Kind before.

Jury. Was there a mix'd Company when *Blackburn* picked them out at the Gatehouse?

Revington. I was not directly in, because *Warner* threw a Pipe at me, and swore he would do me a Mischief, but there were several Prisoners about.

Q. Did any body shew the Man to *Blackburn*?

Revington. No, he challenged him himself.

Q. To *Blackburn*. Did any Body point out *Warner* to you?

Blackburn. No, I just look'd at him, and he said D——n your Eyes, you Rogue, what do you look at me for? I saw *Newman* in *Totbillsfields* Bridewell; *Revington* was with me, and I found him out myself.

D E F E N C E.

Thomas Blackburn. I am a Shoemaker by Trade, and have kept the Coach and Horses in Hog-Lane, St. Giles's, a Quarter of a Year at Christmas. I have known Newman two Years and something better. He is a Bricklayer by Trade, and lived in the same House with me in Newport-Market: that was two Years ago, and I have not been much in his Company since then, but I never knew any Harm of the Man. I used to make Shoes for him.

Q. Do you know Warner?

Thomas Blackburn. Yes, they were at my House together the Sunday Morning this was sworn to be done. I took Notice of it, because he said it was the first of October, and they were at my House then.

C. That happens to be a Month before the Robbery.

Warner. My Witnesses will not be here till To-morrow.

Newman. Examine whether it was a Star-light Morning or no. I have no Money, and therefore can't get any Body else to appear for me.

Both Guilty. Death.

7. *Esther Burnham*, of St. Clement Danes, was indicted for privately stealing a Silver Watch, value 3 l. 4 Pieces of foreign Gold, value 7 l. 4 s. 2 Moldores, and 9 Guineas, from the Person of *John Bowers*, Nov. 30. And,

8. *Godfrey Nodder*, for receiving the same, knowing them to be stolen.

John Bowers. Last Monday Night between 9 and 11 at Night, I was going round the Back Side of St. Clement's, and I went with a Woman into this Burnham's House. It is a House where they sell Drams, and I thought it was kept by another Person. I dismissed the Woman whom I had with me, and went towards the Fire-side, and turned up the Flap of my Waistcoat, and saw my Watch was there. The Prisoner then desired me to go with her into the Passage just by the Door, and we had not been there above three Minutes before she picked my Pocket of my Watch, and she gave me a Shove and ran into the House. I followed her, and just as I came to the Door, Godfrey Nodder the other Prisoner, met me, and gave me a push away till she made her Escape. Finding she was gone, and not being willing to lose my Watch, I said in the public Room, I would give any Body a Guinea to have my Watch again, and no Questions asked. Upon this she came down Stairs directly, and I pulled out my Purse to have

Change for Half a Guinea: She seeing my Purse, called me into another Room, and I thinking to have my Watch again, went into the Room with her, and there she picked my Pocket of my Purse and Gold. I missed it that very Minute, and ran after her and caught her. I came to Town on the Sunday Night before, and brought this Money with me, and was pretty much fuddled when this happened. I seized the Prisoner a second Time, and Nodder came and struggled with me, and she got away again. I can't tell what Nodder is; I never saw him before that Night, but I can swear to them both. I saw there was nothing to be done, so I went to call Assistance, and got Mr. Roach and Mr. Sumner to go with me, and with some Difficulty we got into the House. We went into a Room and found the Prisoner, and seeing Nodder's Hat and Wig lying on the Chest of Drawers, we asked her where her Husband (Nodder) was? She said he was gone out, but after we had set a Watch about the House, we went into the next Room, and there was Nodder by the Fire Side. He rubb'd his Eyes as if he had been asleep, and Robin Roach found the Watch in the Chimney by him. Then they search'd in the Fire Place, and found some 36 s. Pieces, two Moldores, and 3 Guineas.

Q. How do you know they were yours?

Bowers. I am sure as to the Watch, but it is a hard Matter to swear to the Money. I told the Constable and all of them, what Pieces I had lost before they went to search. These Things were not found upon Nodder, but in the Fire Place by him, and on searching him we found a Purse and some Money in his Pocket. I can't swear that they were mine, but he said he had pawned his Hat and Wig for 2 s. just before.

Pris. Burnham. Ask him if there were not two Women that came with him, and sat by the Fire Side.

Bowers. One Woman I brought in, but her I dismissed.

Burnham. How do you know but that Woman might take your Things?

Bowers. Because I chang'd my Money after she had been gone some Time.

Pris. Nodder. Ask him if I mislested (molested) him in any Shape, or meddled with him good, bad, or indifferent?

Bowers. Once I had her in my Custody and he hinder'd me.

Nodder. Did not I tell him he might go and see if there was any Woman there?

Bowers. He said I might go down into the Cellar and see.

Elias Sumner. I am a Robe-maker, and happen'd to call in at this House to see for my Bed-fellow, because I knew he was drunk that Afternoon, and he us'd to keep Company with a loose Woman that us'd that House. At *Nodder's* Desire I sat down by the Fire Side about two Minutes, and the Coachman (*Bowers*) came and sat down on the other Side of the Fire. He sat about a Minute, and went out again, and *Burnham* and he were both missing. After they had been out two Minutes, or something more, I heard some Body run up Stairs very fast. There was a Screen by the Fire, and I could not see whether any Body went out with him, but I came in presently, and said she had robb'd him of his Watch. *Nodder* said there was no Body come in there, *Bowers* insisted that there was, and upon that *Nodder* wanted to let him out at the Passage Door to see for her there. *Bowers* would have it, that she was gone up Stairs, upon which *Nodder* took a Candle off the Counter, and went up Stairs, but would not let him go into the one pair of Stairs Room, because (he said) they must be gone up higher. I went up to the one pair of Stairs, but *Nodder* and the Prosecutor went up higher, and when they came down again, the Prosecutor pulled out a Guinea on the Counter, and said he would give it for his Watch. Immediately *Burnham* came down, and he told her she had got his Watch, and he would give her a Guinea to let him have it again. He called for a Quartern of Shrub, and had Change for half a Guinea: she seeing his Money said, *Come hither my Dear, I want to speak with you!* Upon which they went backwards, and staid very near a Quarter of an Hour, and then I heard her run out crying, *D—ye if I will be served so.* He follow'd her, and said she had got his Money. *Nodder* said, no Body had got his Money; but however I saw the Prosecutor bring her into the House by one Arm, and *Nodder* and he had a great Struggle, and got her from him. Then the Coachman (the Prosecutor) went out to see for his Friends, and *Nodder* fasten'd up the Door. I did not care to stay in the House any longer, so I bid *Nodder* give me a Dram, and let me go out. He was very unwilling to let me go, but at last he did; and when I came out, I saw the Prosecutor and *Roach* together. While we were talking together, I happen'd to see this young Woman that my Shop-mate keeps Company with. *Nodder* had refused to let us in again, so she open'd the Door for us, and when we came in we found the Pri-

soner *Burnham* a Bed, and I saw the Watch found in the Chimney, and the Money in the Ashes.

Burnham. How long has he known me?

Sumner. I never saw her but once before that Sunday Night.

Burnham. Did he see me go into any Company with the Coachman?

Sumner. No, *Nodder* came up to me as I sat in the Watch-house, and said, if I would keep silent, his Wife should make me a Present.

Nodder. Ask him whether I us'd the Coachman ill?

Sumner. Yes, he got the Woman away from him.

Robert Roach. I live at the *Lamb-Inn*, the Back of *St. Clement's*, within five Doors of the Prisoner's House, and my Servant being gone to see what was the Matter, I went to fetch him Home, but being acquainted with the Coachman, I staid to assist him. The House was beset with Watchmen, and the Door in the Passage was bolted, but we got it opened, and when we came in, we saw *Nodder* in the Room below Stairs: He rubbed his Eyes and yawn'd, and ask'd what was the Matter. The Prosecutor said, he had been robbed, and on searching the House, I found this Watch on the Edge of a Brick between the Closet and the Chimney, and in the Chimney Corner I found four Broad Pieces, and three Guineas.

Bowers. This Watch is mine, it was made by one *Davis*.

Roach. *Nodder* stood by me when I found these, and he bid me look in the Fire, so I took the Poker and stirred the Fire, and found two Moidores, and two Guineas more. After I had found the Watch in the Chimney, I began to look for the Money, and *Nodder* desired to speak with me in private, and he said, If I would disperse the Watchmen, the Money should be forth coming. I told him, we must have it now, but he said, *there were some Females concerned in it, and they were the Devil to deal with.*

Burnham. Did not I desire to be stripp'd and search'd?

Roach. No, she did not.

Samuel Roach. On Monday Evening about eleven o'Clock, or a small Time before, *John Bower* came to my House, and told me he had been robbed. The Robe-maker (*Sumner*) came by at the same Time, and we got him to go along with us. We got two Watchmen to stand and secure the Fore-door, and then a Woman came by that us'd the House, and by her Means we got in. When we had got in, we went into the

the back Room, and found *Burnham* a bed, and on going into another Room, we saw *Nodder* sitting by the Fire-side, as if he had been asleep, and he pretended to be ignorant of our Business. We searched about, and at last my Brother found the Watch in the Chimney, and among some Dirt there were four thirty-six Shilling Pieces and some Guineas found. I took particular Notice of them, because *Williams* took them out, and he being a Stranger, I imagined he might Pocket some.

Arthur Williams confirm'd the above Deposition, with Regard to the finding the Prosecutor's Money.

Burnham. The Prosecutor came into our House with two Women, and had some Shrub, and changed Half a Guinea for it. They sat some Time, and at last went away together, and some time afterwards he came in again, and charged me with robbing him of his Watch. It is something very particular, that this Man should lose his Watch, be gone from me, and say I robb'd him, and afterwards suffer me to take his Money. I should be glad to know what Freedom there was between us.

Bowers. There was going to be a pretty deal of Freedom, but I lost it in the mean Time.

Mary Lane. I live in *Peter-street*, *St. James's*. I lived with Mrs. *Burnham* last Summer, and I was in her Family before I lived with her. On Monday last in the Evening, I believe it might be something after eight o'Clock, I saw the Door open. I happened to be coming along, and dropped in there, and saw Mr. *Nodder* in the Shop. — I knew him before, for he lodged with her when I was her Servant. She keeps a Shop, and sells Liquor, — I don't know what, — common Liquor, — Gin I believe; but however, this Coachman came in, — he had a laced Hat on then, and he asked for one Mrs. *Shaw*. He was drunk, and two Women followed him in, and one of them sat in his Lap. He went out, and when he returned, he said, he had been robbed, and I am sure the Prisoner was not in his Company a Crum of a Minute. He accused me first, and when Mrs. *Burnham* came, he accused her; but before he went away, he desired to have a Dram, and be Friends. I know two or three of the People that were there; you, Sir, I know for one, and this Man in his own Hair was another, and I will take another of you if that be all (to *Roach*) you told me, if I offered to appear you would hang me, and the Beadle of the Parish said the same.

2. Do you imagine the other Woman robb'd *Bowers*?

Lane. Yes, I fancy so.

2. And left the Watch and Money for some body else?

Lane. I can't tell as to that.

Elizabeth Bott. *Burnham* lived with a Relation of mine at *Chelfen*, about a Year ago, and I never heard that she wrong'd any Body.

Robert Morris. I know but little of *Burnham*, but *Nodder* I have known about a dozen Years, and never heard any Body accuse him of any Thing of this Kind. He kept a Public-House in *Fleet-Street* a little while ago. — I have heard that he stood on the Pillory, but not till within this Month.

Roach. *Lane* was in the House, and behaved in a very insolent Manner, and we desired the Justice to commit her to *Bridewell*, but he would not commit any Body that might be a Witness for the Prisoners.

Burnham. They said before the Justice, that I should keep my *Christmas* in another World, for they were determined to hang me.

Mr. De Viel. These Gentlemen said no such Thing as she charges them with, and *Lane* was the most impudent Creature that I ever saw, and the Reason I did not commit her, was, because she was to be an Evidence for the Prisoners.

Burnham guilty Death. *Nodder* acquitted.

9 *Joseph Holdsworth* was indicted for stealing 20 Yards of green Baize, Value 20 s. the Goods of *Eleanor Griffin*, November 18, Guilty.

10. *Richard Whitehead* was indicted for stealing five linnen Shirts, Value 20 s. the Goods of *Nicholas Murray*, October 19, Guilty 10 d.

11. *John Lilliston*, alias *Robert Jones*, was indicted for privately stealing a linnen Handkerchief, Value 13 d. from the Person of *John Serjeant*, October 23, Guilty 10 d.

12, 13. *Ann Stedman*, and *Isabella Sadler*, were indicted for stealing a half Firkin of Butter, Value 14 s. the Goods of Persons unknown, November 16. Both guilty 10 d.

14. *John Freeman*, was indicted for stealing 9 s. the Money of *Richard Kent*, Nov. 2:

Guilty, 10 d.

15, 16, 17. *John Waters*, *Ann Holland*, alias *Lee*, and *Martha Hunt*, of *St. Giles's in the Fields*, were indicted for assaulting *Martha Tapster* on the King's Highway, putting her in Fear, and taking from her a Cloth Cloak, value 10 s. Nov. 23.

Martha Tapster. It will be a Fortnight next Monday, I was coming from my Lady King's in *Bloomsbury-Square*, about half an Hour past nine at Night, and was met by three Women and a Man in *Little-Turnstile*, near the *Six Canals* in *Holborn*. One of them struck me on the Side of the

the Face, and the other swore, *D— her a B—* knock her down, and immediately one of them tore my Cloak off my Shoulders. I turn'd the Corner, and saw *Susan Hawkins* standing at an Oyster Stall, and desir'd her to help me. She said she knew the People that had robb'd me, and would shew me next Morning where they lived. Upon this I went into the *Six Canns*, and the Maid stood at the Door with a Quart of Beer for them, but they ran away without drinking it.

Gilbert Ward. About half an Hour past nine, the Prisoner *Waters* came to my Door, and call'd for a Pot of Beer; I keep the *Six Canns* in *Holbourn*. My Maid was not so quick in drawing it as she should have been, and so I went myself, and I heard a Woman say, *D— you don't stay for the Beer, but come along.* He immediately went away from me towards the Cloaths Shop by *Little Turnstile* without drinking the Beer, and presently afterwards the Prosecutrix came up and said, she had been robb'd of her Cloak.

Eliz. Waters. The Prisoner *Waters* keeps a Lodging House in *Goldsmith's Alley*, and his Wife having lent a Gown to one who had lodg'd with him, he and his Wife, and I, and the two Prisoners went to see for it. It will be a Fortnight next *Monday*; I really can't tell what Time of Night it was, but I believe it was between eight and nine o'Clock. They got pretty much in Liquor at the Woman's House in *Black-Boy-Alley* in *Chick-Lane*, and as we were coming by Mr. *Ward's* Door, *Waters* said he would have a Pot of Beer; his Wife thought he had had enough, and was for getting him along. The Prosecutrix happen'd then to come by, and looked at us. I asked her what she look'd at? and she said something, I can't tell what it was, and I struck her on the Side of the Face: then *Ann Lee* came up to her, and gave her another Knock and tore her Cloak off, and then we ran away after *Waters* and his Wife, who were gone a good Way before. The next Day I went to *Water's* House to see how he did, and was taken up for this Fact.

Lee. What Gown had I on?

Waters. A red and white Linnen one;

Susannah Hawkins. I was standing at my Oyster Stall, and the Prosecutrix came up, and said she had been robb'd. She went into the *Six Canns*, and in the mean Time I saw *Moll Waters*, *Bess Waters*, and *Lee* run by. The Woman seem'd to be very much surprized, and I promised to tell her who they were.

Thomas Savage. On the *Tuesday* Morning after this Affair happen'd, I and my Head-

borough had a Warrant, and went to *Water's* House. We found the two Women Prisoners, the Evidence, and *Waters's* Wife drinking Tea together. *Lee* was not in the Warrant, and so we only took *Waters*, his Wife and the Evidence before the Justice, but it appearing upon the Examination that *Lee* was concern'd, I went to the House for her. There was a Fellow in an Apron with her, and I was pleased to swear a little, and to get her away. She seem'd to make Words that she should be taken before the Justice, and *Hunt* left behind, so we took her too. When they came before the Justice, *Hunt* said, that *Nan Lee* had the Cloak, and had pawn'd it at the Corner of the *Coal-yard*, and she owned, that she was with her. The Justice then gave me a search Warrant to fetch the Cloak, and I found it according to their Directions.

William Standwell. I took up *Waters* and his Wife, and carried them before Mr. *De Veil*, who committed them to *New-Prison* for further Examination. The Evidence happened to go by my Door in the Afternoon, and I took her to the *Round-house*, 'till next Morning. We afterwards went to *Waters's*, and took the two Women Prisoners. *Hunt* desired to be made an Evidence, and it was agreed, that she should be one; so she told where the Cloak was pawn'd for 3 s. and it was found; but it afterwards appearing that she was deeply concerned in this Affair, the other Woman was admitted an Evidence.

Frances Hamlin. The two Women Prisoners pawn'd this Cloak with me for three Shillings. I asked them who owned it, and *Lee* said it was hers. The next Day the Headborough came with *Hunt* to my Shop to take out the Cloak; I knew the Woman again, and delivered it to them directly.

Hunt. You can't say I brought the Cloak!

Hamlin. *Lee* owned the Cloak, and the other was with her.

Prisoner Lee. I went with them to see for the Gown, and at *Turnstile* I parted with them and went Home to my Mothers. The next Morning I went to Breakfast at this Gentleman Mr. *Waters's* House, and while I was there, the Constable came and took the Gentleman and his Wife away. As to this Cloak, the Evidence overpersuaded me to pawn it, and *Hunt* went with me.

Hunt. This young Woman asked me to go with her to pawn the Cloak, and I did very innocently, for I thought it had been her own.

Lee guilty *Death.* *Holland* and *Waters* acquitted.

William

18. *William Johnson*, was indicted for stealing 9 Clasp Knives, the Goods of *Willam Bunch*; October 23, Guilty 10 d.

19. *Thomas Redhead*, was indicted for stealing a Piece of leaden Pipe and a Brass Cock fixed to a Messuage in the Possession of *Frazer Honeywood*, Esq; November, 15th, Guilty.

20. *Mary Howard*, was indicted for stealing a Brass two Pound Weight, and a leaden Pound Weight, the Goods of *James Arters*, November, 30th. Guilty 10 d.

21, 22. *John Atkins*, and *Thomas Harwood* were indicted for stealing eight leaden Sash Weights, and 25 Pounds of Lead, the Goods of Persons unknown. Both acquitted.

23, 24. *Samuel Shuffe*, and *Joseph Lacock*, of *Stepney*, were indicted for assaulting *James Gray*, in a certain Field, and open Place near the King's Highway, putting him in Fear, and taking from him a Pair of Leather Shoes, a Pair of Silver Buckles, and a Pocket-Book. November, 15th.

James Gray. On the 15th of last Month, between 7 and 8 at Nght, I was knocked down in a Field behind the *Two Loggerheads*, going to *Shoreditch*, by three Persons. I received a Cut upon the Left-side of my Head, so that you might see my Skull very plain, and they took from me my Shoes, a Pair of Silver Buckles, and this Pocket-Book, which my Master gave me that Morning for Memorandums for planting Flowers.

Q What did they say to you when they first attack'd you?

Gray. They knock'd me down before they spoke, and then I believe they said, *D—him, keep him down*.

Lacock. Ask him how he came by his Pocket-Book again?

Gray. It was produc'd before the Justice.

Lacock. It is very hard to swear to such a Book with no Writing in it.

Joseph Standley. On the 15th of Nov. the two Prisoners and I were at *Mr. Freeman's*, a Publick House in *Bishopsgate street*, and saw *Mr. Gray* come in, and he being pretty much in Liquor, we pretended to see him Home. We went as far as the upper End of *Brick Lane* into *Swan-Fields*, and I had hold of his Arm when *Lacock* knock'd him down with a Mopstick, and we both tumbled into the Ditch together. Then they took his Shoes and Buckles, and this Pocket-Book. I have known *Shuffe* about 12 Months; he is a *Velvet-weaver* by Trade. *Lacock* I have known ever since *Mackarel Season*; he used to sell Things about the Streets, and we had been

drinking together, and had no Design to do any Thing before *Gray* came into the House, and then we took Notice of his Silver Buckles, and agreed to take them.

Richard Wernell. On Wednesday Night last, I was in Company with a Man, and the Prisoner *Lacock* came and said he had committed some Robberies, and was desirous to leave off this Course of Life, and be made an Evidence, and if we would come next Morning to his Lodging, we should find the other Prisoner and *Standley*. Accordingly we went and broke the Door open, and found *Lacock* in one Room, and *Standley* and *Shuffe* in the other. He (*Lacock*) own'd to me, that he himself knock'd the Man down with a Mopstick, and that the Buckles were sold for 4 s. 6 d. and the Shoes for 1 s. We carried them before *Mr. Deveil*, who perceiving that *Lacock* was the very Person that knock'd *Gray* down, he refused his Information, and admitted *Standley* an Evidence. This Pocket-Book I fetch'd from *Standley's* Wife, according to his Direction; she was very scrupulous to let me have it, but I brought it away with me. Here is a Memorandum in it, knock'd down Sunday Night, and I suppose that relates to this Robbery.

Standley. I wrote these Words in it myself.

Q to *Wernell*. Did *Shuffe* say any Thing before the Justice?

Wernell. He desired to be made an Evidence, and said he could make the greatest Discovery. All of them owned it before *Mr. Deveil*.

Mr. De Veil. These three Men were brought before me before we knew the Person that was attack'd. They all own'd the Fact, and called him by the Name of *Blake*, a *Gardiner* at *Walthamstow*. I put them into the News, and the next Day the Prosecutor appear'd against them.

The Prisoners having nothing material to offer in their Defence, the Jury found them both Guilty. Death.

25. *Mary Dutton*, alias *Buntley*, and *Mary Betlier*, were indicted for privately stealing a Silver Watch, value 30 s. a Steel Chain, value 6 d. 2 Seals, value 2 d. the Movement of a Watch, value 6 d. and a Cotton Handkerchief, value 3 d. from the Person of *Daniel Rose*, Nov. 25.

Daniel Rose. Last Tuesday was Sevensnight I had been to the *Black-Bear* in *Piccadilly*, and came from thence pretty late, and in Liquor, and before I got Home, I had my Pocket picked of my Watch. I am certain I had it when I left the *Black-Bear*, for I took it out of my Pocket to see what o'Clock it was, and as to my losing it, the next Witness *Mr. Fish* can give a better

better Account than myself, for I was very much in Liquor.

William Fish. On the 24th of Nov. about 12 o'Clock, I was going Home, and saw the two Prisoners and *Daniel Rose*. They had got him in a Door-way near *Brownlow street* in *Holbourn*. I saw *Dutton* with the Watch in her Hand. Mr. *Rose* was very much in Liquor, and she bid him good Night, and ran 'cross the Way directly, and bid the other Woman run too. I perceiv'd by that that they had robb'd him of his Watch, so I went up to him, and asked him if he had lost any Thing? He said he had not, but as soon as he had felt in his Pocket, he attempted to pursue the Prisoners, but being very much in Liquor he fell down. *Dutton* ran up *Warwick Court* by the *White Hart Tavern*, and as soon as I had seized her, I asked her for the Watch, and she pulled it out of her Bosom and thrust it to me.

2. What became of the other Prisoner?

Fish. She did not go away, but staid in the Court. This is the Watch I had of the Prisoner, and before *Rose* felt for it, he told me the Name on the Dial-Plate. The next Day the Prisoners were carried before Justice *Poulson*, where *Bessier* charg'd *Dutton* with taking the Guts of a Watch, and a Handkerchief from the Prosecutor in *Lincoln's Inn-Fields*. *Dutton* could not deny it, and they were fetch'd from her Sister in *New Prison*, by the Justice's Order.

William Grasping. I was Constable of the Night. The Prisoners were brought to me by Mr. *Rose* and Mr. *Fish*, and charg'd with robbing him of a Watch, and the Guts of a Watch besides. *Rose* was very much fuddled: He had fell in the Kennel, and was so muddy, that he could not see out of his Eyes. When he came to himself, he describ'd the Watch, and I took the Prisoners to *New-Prison* that Night. The next Morning they were carried before Justice *Poulson*, where the tall one *Dutton* desired to be admitted an Evidence; but *Bessier* charg'd her with taking other Things from the Prosecutor, and she appearing to be the principal Person, the Justice refused to admit her Information.

Dutton. I had been with this young Woman to see her Mother, and coming through *Lincoln's Inn-Fields*, this Gentleman called after us. His Hat fell off, and I put it on again several Times, and left him. A Man that knew me happen'd to stop me in *Holbourn*, and the Prosecutor over took me. He put the Watch into my Hand, and in the mean Time Mr. *Fish* came up, and asked him if he had not lost his Watch? The Prosecutor said, he knew who he had given it

to, and it was safe. He pulled his Handkerchief out of his Pocket, and the Guts of a Watch fell out with it. I would have given them to him again, but he said they were of no Consequence, and I might keep them.

Bessier. I was coming along with this Woman, and in *Lincoln's Inn-Fields* we met this Man, and the first Thing she took from him was the Guts of the Watch, and afterwards in *Brownlow-street* she took the Watch out of his Pocket.

Mary Scot. I can say no farther than that my Daughter (*Bessier*) never behav'd unhandsome.

Eliz. Horn. I keep a House, and have a great many good Things in it, and I never knew that she wrong'd me of any Thing.

Dutton Guilty Death. Bessier acquitted.

27. *Samuel Jeffreys*, was indicted for stealing 7 pair of Buckskin Breeches, and a pair of Ramskin ditto, the Goods of *John Hacket*, November, 9. Guilty.

28. *Alire Jacobs*, was indicted for stealing a Yard and half of Mechlin Lace, value 20s, the Goods of *Elizabeth Jennings*, Oct. 12.

Acquitted.

29. *Elizabeth Broach*, was indicted for stealing 15 Yards of printed Linnen, the Goods of *Thomas Sweet* and *John Symonds*, Nov. 3.

Acquitted.

30, 31. *Dominick Fitzgerald*, and *James Lee*, alias *Welch*, were indicted (with *Elizabeth Fitzgerald*, and *James Cerneane*, not taken) for that they, after the 24th of June, 1736, viz. September 16th, at *St. Bennet Paul's Wharf*, feloniously forged, and caused to be made and forged, a certain Paper Instrument, partly printed, and partly written, seal'd, purporting to be the last Will of *Peter Perry*, with a counterfeit Mark thereto subscrib'd, pretended by them to be the proper Hand-writing of the said *Perry*, and declared by him in the Name of *John Perry*, by Mistake, which said Paper Instrument is in the Words following, viz.

In the Name of God, Amen,

I *Peter Perry*, Mariner, being of a disposing Mind and Memory, do hereby make my last Will and Testament, &c.

First, and principally, I commend my Soul into the Hands of Almighty God, hoping for Remission of my Sins through the Merits of Jesus Christ, my blessed Saviour and Redeemer, and my Body to the Earth or Sea, as it shall please God, and as to such worldly Estate and Effects as I shall at the Time of my Decease be possess'd of

ut, or entitled to, I give and devise the same as followeth. I give to my dearly beloved Sister *Ann Perry*, all such Sum or Sums of Money, as now is, or hereafter shall grow, and become due to me for my Service on board the *Lancaster* Man of War, or any other Ship or Ships whatsoever: And I hereby nominate, constitute and appoint the said *Ann Perry*, her Heirs and Assigns, sole Executrix of this my last Will and Testament, and all the rest and residue of my Estate whatsoever, both real and personal; and I do declare, this to be my last Will and Testament, hereby revoking all former Will or Wills by me made.

In witness whereof I have hereunto set my Hand and Seal, this 28th, Day of *March*, 1737, in the Tenth Year of the Reign of our Sovereign Lord by the Grace of God, &c.

John Perry:

† *His Mark:*

Sign'd, Seal'd and Declar'd in the Presence of Us, by the said *John Perry*, as, and for his last Will and Testament.

John Rogers.
James Welch.

With Intent to defraud our said Lord the King, &c.

The Indictment farther charged the Prisoners with publishing the said Will, knowing it to be forg'd and counterfeit.

The Council for the Prosecution set forth, that the Crimes of which the Prisoners stood indicted, were in their own Nature, as destructive of Society, and as Heinous as any Crimes could possibly be. That it was for this Reason, (the Crimes of Forgery and Perjury being so frequent, the Error that lieth by Night, and the secret Transactions by which the Lives and Properties of every Man were in Danger) the Punishment which was extremely mild, was not thought adequate to the Crime, and therefore the Wisdom of the Legislature, thought fit by an Act of this present Majesty, to make this Offence Felony, without Benefit of Clergy.

That this Law was to be in Force for five Years only, but before its Expiration, the good Effects of it were perceived, and it was therefore revived, and made perpetual, by another Act of the 9th of his present Majesty, &c. &c.

The Act of the 2d of the King which made this Offence Felony, and the Act for the re-

viving and making the same perpetual, were read-

John Goodwin. I am Clerk to the Deputy-Register of the *Prerogative* Court of *Canterbury*. Mr. *Taverner* the Proctor, brought this to me, as the original Will of *Peter Perry*.

William Taverner. This Paper was brought to me as *Perry's* Will. I can't tell whether it was *Ann Kelly*, or *Dominick Fitzgerald*, produced it.

Council. Who brought it?

Mr. Taverner. I can't tell who produced it, but *Fitzgerald* was present, and the Executrix too. *Lee* was not there when the Will was first brought; he came to account for the Error in it. I got the Executrix sworn before Doctor *Chapman*, and then I observed a Mistake of *John* at the Bottom, instead of *Peter*, upon which I applied to the Register's Clerk who told me that Error must be accounted for. I then told the Executrix, *Ann Kelly*, in the Prisoner *Dominick's* hearing, that she must either produce the Person that wrote the Will, or one that was present at the Execution of it to account for the Mistake. They went away that Time, and the next Day *Dominick* brought the other Prisoner *Lee* to me, — I can't tell whether *Kelly* was present then. I am certain *Lee* was, for I took particular Notice of him as he came into the Court. He pretended that his Name was *Welch*, and that he was one of the subscribing Witnesses.

Council. Did he make any Affidavit that Night?

Mr. Taverner. No; he seemed to be in Liquor, and I told him the Thing he came about was of a very serious Nature, therefore I would not draw an Affidavit for a Person in such a Condition. I appointed him to come some other Time, when he was perfectly sober, and I think the next Morning he came, and I took Instructions from him, and had him sworn to it. This is the Affidavit, he swore to it by the Name of *Welch*, and I have attested it.

Council. Was any Body with him when he came to swear.

Mr. Taverner. The other Prisoner was with him; I took particular Notice of him (*Fitzgerald*) his Person is so particular, that I can't easily forget him, and he asserted, that it was the Will of *Peter Perry*.

Council. When they left you, where did you carry the Will and Affidavit?

Mr. Taverner. I delivered them to Mr. *Goodwin*, in Order to have the *Probate* filled up.

Goodwin. These are the same that I had from

from Mr. Taverner, and they are in the same Condition now, except this Tear on the Back.

The Will was read.

Council. Read the Affidavit,

It was read.

" This Day appeared personally, *James Welch*, of *St. George, Bloomsbury*, Linnen-draper, aged about 50 Years, and alledges, that he has been well acquainted with *Peter Perry*, late of his Majesty's Ship the *Lancaster*, Widower, for about 25 Years, to the Time he enter'd on board the said Ship, &c. and farther deposes, that he, (this Deponent) did write and fill up all the Blanks, and is one of the subscribing Witnesses to the said Will of *Peter Perry*, beginning thus, *In the Name of God Amen*, and ending thus, *John Perry, his Mark*; and that the said *Perry* did make his Mark, and deliver the same, and that he the said Deponent, did by Mistake write the Name of *John Perry*, but that the said Deceased's is *Peter Perry*.

Council. Are you sure that the Prisoner *Lee* is the Person who swore this by the Name of *Welch*?

Mr. Taverner. Yes, the fat Person (*Lee*) is the Man.

Doctor Chapman. I am the proper Person to grant Probates, and I remember granting one to this Will; — here is my Hand to it.

Council. Do you remember the Person that swore that Affidavit?

Dr. Chapman. No, I can't say that I do.

Council. Where was this transacted?

Dr. Chapman. In my Chambers at Doctors-Commons, in the Parish of *St. Benedict*.

The Probate was read.

Prisoner *Lee*. Ask Mr. Taverner what Condition I was in when this was made?

Mr. Taverner. When he came first, he behaved as if he had been drinking; his Eyes looked heavy, and he talk'd as People usually do under such Circumstances, but when he came the next Day to be sworn, he was perfectly Sober.

Lee. I was as crazy and as lunatic as any Thing could be, and I knew no more what I was doing, than the Child that is unborn.

Christopher Ecklin. The thin Man in the Bar is *Fitzgerald*, the fat one is *Lee*. About the Middle of September last, the two Prisoners,

Fitzgerald's reputed Wife, *James Dernean*, *James Broughton*, and *John Farrel*, came to my House. We had a good deal of Discourse about going to the Navy-Office, and they asked me to go with them. I told them, I had some Business with my Coal-Man at *Billingsgate*, and would walk so far with them. At their Desire I went with them as far as *Tower Hill*, and they attempted to go into the Ship, but there being some Company there, we came out again. We then went to the *Zyger*: that House was full of Soldiers, and therefore we adjourned from thence to the *Three Crowns* in *Thames-street*. We call'd for a Pot of Beer, and then *Lee* said to *Fitzgerald*, *Dominick!* you know what we come about! why don't you do that Thing? So I will, said *Fitzgerald*; upon which he took a Paper out of his Pocket, which I found to be a blank Sailor's Will. He filled up the Spaces, and made the Mark, and then *James Lee* sign'd it in the Name of *Welch*, and *James Dernean* did the like in the Name of *John Rogers*.

Council. Is that the same Will as you saw *Fitzgerald* fill up?

Ecklin. I am in a manner very sure of it, for in rubbing it to make it look old and dirty, they tore it here before they carried it to Mr. Taverner's; besides *Fitzgerald* said to me, Come Mr. *Ecklin*, won't you be a Witness to this Will? Why, (said *Lee*) you may as well, for we received Money but last Week on such an Account as this; no Body can be a Sufferer, for this Money goes to the *Chatham Chest*, and the King never pays twice. I desired to be excused, and then *Fitzgerald* said, I am but a poor Man, and there is a good deal of Wages due to this Man, and if I knew that any Body would discover, I'd run a Knife into him.

Council. Was *Fitzgerald's* Wife there?

Ecklin. Yes, she personated *Ann Perry*.

Fitzgerald. How long has he known me?

Ecklin. I had not been intimate with him till a Fortnight before this.

Lee. How long has he known me?

Ecklin. About 6 or 8 Months.

Lee. Ask him if I sign'd the Will?

Ecklin. Yes, he sign'd by the Name of *James Welch*.

Fitzgerald. I should be glad to know what Manner of a House he keeps.

Edward Bentham. I am a Clerk in the Ticket-Office, under the Commissioners of the Navy.

Council. Was there any Money due to *Peter Perry*?

Bentham. He belonged to the Ship *Lancaster*, and at the Time of his Decease there were 42 l.

16 s. due to him. There was a Ticket made out for the Payment of it, and it was transmitted by the Officers of the Ship to the Navy-Office.

Counc. After this Ticket was made out, was it delivered to any Person?

Bentham. Yes, I deliver'd it myself to *Ann Kelly*. She brought the Probate of a Will, and I believe this to be the same.

Fitzgerald. He owns his Acquaintance with me is but short, and I hope you will consider that it can't be forging the Will of *Peter Perry*, to write *John Perry*.

Lee. This *Peter Perry* I knew very well, and I had formerly made a Will for him, and sign'd it *John Perry* by Mistake. That Will was lost, and they have trump'd up this Will, and brought me to make an Affidavit, thinking it was the real one. I knew I had made such a Will, and I thought this had been the same, and they threaten'd to have my Life, and tear me to Pieces if I would not make an Affidavit of it. As for the Name of *Welch*, I was in Debt, and therefore was sometimes obliged to conceal my true Name.

Both Guilty, Death.

32, 33. *Margaret Watson* and *Elizabeth Dogget*, alias *Lyons*, of *St. Giles's in the Fields*, were indicted, *Watson* for privately stealing a Silver Watch, value 3 l. from the Person of *William Head*, and *Dogget* for receiving it, knowing it to be stolen, Oct. 33.

Wm. Head. On Friday the 30th of October, I had been to several Places, and returning Home, I saw the Prisoner Mrs. *Watson* near *Drury Lane*, crying, and leaning her Head against a Post. She telling me that her Child had not eat a Bit of Bread that Day, I put my Hand in my Pocket, and offered her a Penny. She refused it, and said, that would hardly make her drink, but she had an Apartment hard by, and desired me to go with her. At her Request I went with her into a House in *Holford's Alley*, *Dogget's* I think they call it. She took me into a little Room and called for a Dram, and then she wanted me to give her a Present. I refused, upon which she knocked with her Heel, and somebody below cry'd, *Above! D—n you, above.* Immediately I missed my Watch, and the Prisoner left me, and I being afraid of my Life, stole down Stairs as if I had been a Thief myself. The Prisoners were taken afterwards, and *Watson* confessed to me at Mr. *Rice's* in *Vinegar-Yard*, that she took the Watch from me, and gave it to the other Prisoner before she got off the Stairs, and that she was to have 5 s. Poundage for pawning it.

Pris. Watson. Ask him whether an old Woman did not go into the Room to take the Candle away?

Head. No.

Watson. He pulled off his Hat when he went away, and I never saw him till the Wednesday following.

Court. Was you sober?

Head. No, I was not.

Prudence Rice. I keep the *Cheshire Cheese* in *Vinegar-Yard*. One Friday Night after 10 o' Clock,—I can't tell the Day of the Month, Mr. *Head* came to my House very melancholy, and complained that he had lost his Watch. He staid at our House all Night, and the next Day he went to find out the House. They say one *Lyons* keeps it, and one *Cordelia Taylor*, who uses the House, brought the Prisoner *Watson* to us. Mr. *Head* immediately took hold of her, and charg'd her with robbing him. She denied it a little at first, but afterwards she own'd she took the Watch, and that she gave it to *Bess Dogget* upon the Stairs. Accordingly she sent for *Dogget*, and she denied she had it; but *Watson* wrung her Hands and cried and begg'd of her to let Mr. *Head* have it again, and notwithstanding all that she refused. Then they were carried before the Justice, and just as they were going to be committed, *Dogget* said, we might send to the *Parliament-House* in the *Strand* for it; but no Body would go for it, and so they were sent to Prison. They were afterwards brought up for further Examination, and then *Dogget* own'd that she had the Watch, and that she was to have a Crown Poundage out of it.

Q. to Head. When did you first miss your Watch?

Head. While I was in the Room with her, I look'd at my Watch to see what it was o'Clock, and I told her I must be at the *Fountain* in *Cheapside* before 10. She said I might do any Thing with her, but I refused to have any Thing to say to her.

Dogget. Did he see her give me the Watch, or did I bring in any Liquor?

Head. No.

Dogget. I have nothing to say, for I never saw the Watch, nor ever serv'd them a Drop of Liquor.

Jury to Head. Was any Body else in the Room with you but *Watson*?

Head. One *Ann Turner* brought up a Quarter of Gin, and just put it on the Chest of Drawers, but went away immediately, and was not near me at all.

Watson Guilty, Death, *Dogget* Guilty.

34. *Luce Cooper*, was indicted for stealing a Copper Coffee-pot, a Brass Candlestick, and several other Things, the Goods of *Robert Hill*, in his Dwelling-house, Off. 2. Acquitted.

35. *Ann Daxling*, was indicted for stealing a Silver hilted Sword gilt, a green Damask Night-Gown, and several other Things, the Goods of *James Nelthorp*, Esq; And

36. *Ruth Hymer*, for receiving Part of the said Goods knowing them to be stolen.

Darling Guilty. *Hymer* acquitted.

37. *Robert Blewit*, was indicted for stealing 3 Cloth Coats, 2 Cloth Waistcoats, and other Things, the Goods of several Persons, Feb. 20. The Prisoner pleaded Guilty.

38. *Philip Williams*, was indicted for stealing a Common-Prayer Book, the Goods of *Frederick St. John*, Esq; and a Book called the Adventures of *Gill Blasts*, the Goods of *St. John Charlton*, Off. 16. Acquitted.

39. *Hugh Cazaban*, was indicted for stealing 18 Yards of Dimity, value 40 s. the Goods of *Adam Gregory*, Nov. 18. Acquitted.

40. ——— of ———, was indicted for that he not having God before his Eyes, &c. on the 23d of Sept. on *John Herne*, feloniously, &c. did make an Assault, and that *Christopher Shotton* on the Head, Back, Breast, Belly, and Ribs of the said *Herne*, did strike and beat, giving him several mortal Bruises, of which from the said 23d of Sept. to the 14th of Off. he languish'd and then died, and that the Prisoner was present, aiding and abetting, &c. the said *Shotton* the said Murder to commit, &c.

He was a second Time charg'd by Vertue of the Coroner's Inquisition for Manslaughter.

Charles Pelton. On the 23d of Sept. last, there was a Cricket-Match at *Staines Moor*, between the Men of *Staines* and *Brentford*. I saw the Prisoner pulling *Herne* among the Croud, and I saw *Shotton* strike him twice, while he had hold of him. The Deceased was presently taken ill, and after that, I saw him no more.

Q. Did the Deceased engage in the Play after this?

Pelton. Yes, he play'd till he was bowl'd out, and whether he ran once or twice I can't tell.

Q. For what Reason do you think the Prisoner took hold of the Deceased?

Pelton. I took it to be to get him in to play. — I saw nothing more done by the Prisoner.

Thomas Herne. I saw the Prisoner take hold of my Brother's Collar, and pull him to force him to go to play. In the forcing he chuck'd him on the Throat, and I saw *Shotton* strike him two or

three Blows on the Breast, and it is my Opinion they were the Death of him. He lived but Weeks afterwards, and always complain'd of his Stomach and Throat.

Q. Was any Thing said to your Brother before the Prisoner laid hold of him?

Herne. I did not hear him asked to play before by any Body: the laying hold was the first that I saw.

Q. Did he complain while he was playing, that he was any way affected by those Blows?

Herne. No.

Q. When the Prisoner laid hold of him, did he do it to help off his Coat?

Herne. No, to pull him in to play.

A Witness. I saw the Prisoner take hold of this Man by the Coat, in order to carry him up to the Wicket to play. *Shotton* hit him 2 Blows, one over the Prisoner's Arm, and one under it.

Q. Did he complain of any Injury afterwards?

Witness. He said, he believ'd those Rogues had given him his Death. I saw nothing done by the Prisoner but the laying hold of his Collar to make him play.

Q. Did he play long after this?

Witness. He got one Notch according to the Rule of the Play.

John Allen. I saw *John Herne* the next Day: he told me that the Prisoner took him by the Collar to lead him to the Wicket, and that *Shotton* gave him some Blows on the Breast. He complained that his Breast and his Throat were very sore, and said, that the Prisoner in pulling him along chuck'd his Throat so that he could not tell how to swallow any Thing. He lived about 3 Weeks afterwards, and always complain'd of the Blow.

William Banks. The Morning after the Cricket-Match I went down to *John Herne's* Boat and called him. He answer'd me in a very low Voice, and said he had been used so barbarously at the Cricket-Match, that he was murder'd. He went with me to my House, and my Servant drew him some Beer, but he could not drink it. He said he knew one of the Persons that had used him ill, and mention'd the Prisoner's Name.

Prisoner. Did not the Deceased lie in his Boat all Night?

Banks. Yes, I believe he did, and it is as common for them to lie in their Boats, as for us to lie in our Beds.

Pris. Q. Can you tell where he had been before he went to his Boat?

Banks.

Banks. At the *Three Pidgeons*.

Ann Foster. I was Nurse to him in his Illness. He had a violent Fever and Convulsions, and all his Complaint was of his left Side, so that he could not lie upon it. I used to ask him his Complaint, and he said, *those Rogues that beat me have killed me, and hang them, hang them*: These were his Words. I saw him open'd, and he was all black on the Heart, and one of his Ribs was broke, but the Surgeon can give a better Account of that than I can.

Joseph Smith. I stood Umpire (Umpire) at the Wicket, and there was a Sort of a Demur about a Man's coming in. I saw the Prisoner bring him along by the Collar, and I saw *Shotton* strike him a Blow. He seem'd to be unwilling to go in to play, and said he would go in next.

G. What had the Prisoner and *Shotton* to do in this?

Smith. Nothing at all except they laid any Betts. The Deceased did go in and ran one Notch, and was out at the same End as I stood at. He said he was very ill, and wish'd he was at Home, but I did not hear him make any particular Complaint.

Pris. Q. Did you hear any Thing but what was civil done or said by me?

Smith. No, if there had I must have seen it, and I can't say that he used him ill any otherwise than bringing him along to play.

Mr. Dudhill, Surgeon. On the 18th of Nov. last I was sent for to view the Body of the Deceased on the Coroner's Inquest. I found an external Contusion on the Skin, about 8 Inches Diameter, which extended to the left *Hypocondriack*. Upon opening the Body I found the Cartilage of the eighth Rib on the left Side broken: in the left Cavity of the *Thorax*, I found between 15 or 20 Ounces of extravasated Blood, and the back part of the Lungs on that same Side were vastly inflam'd. Then I examin'd the right Cavity of the *Thorax*, and found 4 or 5 Ounces of Blood, and the *Colon* and the interior Parts of the Stomach were gangreen'd.

Council. How do you apprehend that to be done?

Mr. Dudhill. By the Blows I should imagine, and certainly they were the Cause of his Death, for otherwise he was sound.

C. How long did you see him after he was dead?

Mr. Dudhill. He died on the *Wednesday*, and I opened him on the *Monday*.

C. Do you think that any Fever was the Occasion of this Disorder?

Mr. Dudhill. That has not yet come to my Knowledge: my Opinion is, that it proceeded from these Bruises and Blows.

Pris. Q. Is it not common in a malignant Fever to have Part of the Stomach inflamed?

Mr. Dudhill. I have never seen it.

Pris. Q. Might not that Rib be broke by a Fall?

Mr. Dudhill. Yes, to be sure it might.

C. Was there any Appearance of Blackness upon the Place where the Rib was broke?

Mr. Dudhill. Yes, about eight Inches Diameter.

Q. If any Person receives a Blow, will the Cartilage, or the Rib break first?

Mr. Dudhill. The Cartilage would break sooner than the Rib.

DEFENCE.

I think it was on the 23d of *September*, I heard there was to be a Cricket-Match between the Towns of *Brentford*, and *Staines*. I happened to have a Friend come in to dine with me, and therefore I thought we might after Dinner divert ourselves in seeing this Cricket-Match. They played very easy and quiet till the latter Part of the Game, when there were two Men to go in on the *Brentford* Side, and neither of those Men would go in; so a great Uproar began. The Deceased's Coat was unbutton'd, and I took hold of his Coat very inoffensively, as I thought, and desired him to go in. He d—'d me, and asked me, what it was to me; upon which, I told him, if he did not play, it should be worse for him, for I would stand by the other Men, and see them righted, if it cost me 20 l. He lifted up his Hand, and I thought he had been going to strike me, and so I left him, and saw him no more.

Richard Johnson. I was sitting on a Bench smoking a Pipe just by the Prisoner, and saw him take hold of the Deceased. He told him, if he would not go in, he would Sue him if it cost him 20 l. I never saw the Prisoner attempt to strike him, neither did *Shotton* meddle with him while the Prisoner had hold of him.

Q. Did the Man play afterwards?

Johnson. Yes, very well. The Prisoner was in as good a Humour as could be, and talked to him as one Neighbour does to another.

William Slaughter. I was on Horseback on a pretty *highish* Horse, and the Deceased was talk'd off to go in, but seem'd unwilling. The Prisoner took hold of his Cloaths, and bid him go in and play a fair Game, or else he would assist

assist the *Staines* Men in getting the Money. At last he did go in, and play'd very well 'till he was bowl'd out. There was nothing done to hurt him that I saw, and the Prisoner's Hand was never higher than his Breast. He afterwards leap'd and skip'd about, and I don't know whether he was not the most active Man of the two and twenty. I have been acquainted with the Prisoner above 20 Years, and have played many a Game at Cricket with him, but I have done with it now.

William Saunders. I was one of the Gamesters, and stood just by. The Deceased was to have gone in the Time before he did, but another would go in before him, and when his Turn came, he refused, so the Prisoner took hold of him, and after he had loosed him, *Shotton* struck him and went out of the Ring.

Edward Hayler, junior. I was one of the Gamesters, and was there all the Time. I saw the Prisoner take hold of the Deceased, and heard him say, if he did not go in, he should lose the Money if it cost him 20 *l.* The Deceased seemed to be uneasy, and shuffled from the Prisoner, and was going away; and then *Kitt Shotton* gave him a push and desired him to go in.

Council. You call it a push, did not you see *Shotton* give him three or four Blows with his Fist?

Hayler. No, I did not.

Counc. Do you think that Push could break his Ribs?

Hayler. No, nor hurt him neither.

Edward Hayler, senior. I was in a one horse Chaise, and saw the Prisoner pull the Man along to make him go in. The Deceased got loose from him, and the Prisoner went back to his Seat, and Blows I saw none.

Q. How was the Game plaid out?

Hayler. There were about thirteen Minutes for them to play, and this Man went in and looked as sprightly as could be, and if there had been any Blows or Fighting, I must have seen it.

Dr. Merrick. I attended the Deceased, and found him in very strong Symptoms of a malignant Fever, which is sufficient to kill any Man without Bruises. I viewed his Body in his Life-time, and saw no Blacknels upon it. *Mr. Dudbill* apprehended there was some Mischief about his Ribs, upon which I looked at them, and observed one Cartilage to stand higher than the rest, but I did not venture to press hard enough upon it, to see whether it was bro-

ken or not.

Q. Did he make any Complaints to you?

Dr. Merrick. He was rather too low to make any; what Questions I asked about his Disorder, were rather answered by the People about him.

James Brooks, Esq; Robert Graham, and three other Persons, had known the Prisoner different Numbers of Years, and always thought him an honest, inoffensive Man. Acquitted.

41, 42, 43. *John Homing,* was indicted for stealing nine hundred one quarter, 5 pounds of Tobacco, and eight Pounds of Scotch Snuff, the Goods of *Abram Sweeting,* in his Warehouse, Nov. 14. And,

Mary Barnes, for receiving 28 Pounds of Tobacco, And,

John Brandel, for receiving five Pounds of the said Tobacco, knowing to be stolen. *Homing* guilty 4 *s.* 10 *d.* *Brandel* and *Barnes.* Acquitted.

44. *Susannah Strafford, alias Judith Dalton,* was indicted for assaulting *John Elliot* on the King's Highway, putting him in Fear, and taking from him a Silver Watch. Nov. 2.

Acquitted.

45. *Thomas Cooper,* was indicted for stealing 50 Guineas, a 3 *l.* 12 *s.* Piece, a Dutch Piece of Gold, Value 10 *s.* and a Gold Ring, Value 18 *s.* the Goods and Money of *Elizabeth Grimes,* in her dwelling House, October 25th.

Guilty 39 *s.*

46. S ——— C ——— was indicted for stealing 6 Silver Spoons, 2 Silver Sloop Spoons, a Silver Salt, and 2 Silver Punch Ladles, the Goods of *Joseph Lambert,* Oct. 21. And,

47. S ——— B ——— Pawnbroker, for receiving 6 Silver Spoons, 1 Sloop Spoon, and 1 Salt, Part of the said Goods, knowing them to be stolen. Both Guilty.

48. *Ann Clark,* was indicted for stealing 5 Yards of Deal Wainscoting, and 2 Deal Boards, the Goods of *Benjamin Wood,* Oct. 15.

Acquitted.

49. *John Parker,* was indicted for stealing a Silk brocaded Gown, and other Things, the Goods of *Mary Burroughs,* in her Dwelling-house, Dec. 1. Acquitted.

50. *Elizabeth Windsor,* was indicted for breaking and entering the House of *William Bowel,* and stealing divers Goods of several Persons, Nov. 29. Guilty Felony only.

51. *Christian Safer* was indicted for stealing 26 Ewe Sheep, two Lambs, and 2 Rams, the Property of *Thomas Walter, Esq;* October 29, Acquitted.

John

52. John Depworth was indicted for stealing one hundred Weight of Lead, fixed to an empty House belonging to John Wood, Nov. 29, Guilty.

53. Evan Evans, was indicted for stealing a Glass Bottle with a Pint and a half of pickled Mushrooms, the Goods of William Hale, October 30th. Guilty 10 d.

54. Thomas Morris, was indicted, for that he, not having God before his Eyes, &c. on Elizabeth Coy, within the Age of ten Years, did make an Assault, and her did ravish, and carnally know, and wickedly abuse, against the Form of the Statute, &c. Oct. 8th.

Elizabeth Morin deposed, That she kept a Public House in Cross Lane, Holborn. That the Aunt of Elizabeth Coy, being her Landlady, let the Child live with her to assist her in her Business, and that the Prisoner was employed to white-wash the House. That the Morning this Fact was supposed to be committed, she sent the Child up into her Chamber, the Prisoner being then at Work in an adjacent Room. That soon afterwards, the Child complained of being ill, and upon being examin'd, said, that the Prisoner had done her this Injury, and would have given her a Half-penny to conceal it from her Aunt.

Mary Coy deposed, That she finding the Girl's Linnen out of Order, examin'd her about it: That at first she denied that any Person had meddled with her; but on this Witness's threatening to beat her, she owned that the Prisoner had taken her into the Room, and laid her on the Board on which he stood to work, and there abused her.

Mr. Welch, Surgeon, who was sent for to view the Girl, gave a particular Account of the Condition he found her in, &c. and farther said, that she gave the same account of the Fact when before the Justice as she had done to the other Witnesses. This Witness being asked on Behalf of the Prisoner, whether it was possible for an Offence of this Kind to be committed on a Board, supported only by a Pail and a Ladder, or Trussel, as this was supposed to be, answered, that unless such Board were firmly supported, it was scarcely possible.

Elizabeth Coy, nine Years old last April, deposed, that being sent up into Mrs. Morin's Room, the Prisoner called her to him, and laid her on

the Board, on which he was at work, &c. afterwards offered her a Half-penny, which she refusing, he said, *Take it Hussey, and tell your Aunt if you dare!* This Witness, in Answer to a Question ask'd on Behalf of the Prisoner, said, that Thomas Cleaver, a Person who attended the Prisoner in his Business, was at the Time of the Commission of this Fact, heating Size at the Fire below Stairs, and was not within hearing.

DEFENCE.

Thomas Cleaver deposed, That he work'd under the Prisoner as a Labourer when he was employed at Morin's, and that he was constantly with him, except at particular Times when he used to heat Size for carrying on the Work. That he had known him 5 Years, and never heard but that he was a downright honest Man.

Mr. Jewel, Surgeon, deposed, That he was sent by the Prisoner to inspect the Child, but was denied seeing her. That it was his Opinion, it was impossible a Child of such tender Years could be thus abused without hurting her extremely, in Consequence of which she could not help crying out.

William Wolley said he had known the Prisoner 6 Years, that he was a married Man, and believ'd him to be as sober and honest a Man as any in England. Acquitted.

55. John Mills, was indicted for the Murder of Thomas Evans, by giving him one mortal Wound on the Throat with a Knife, of which he instantly died, August 31.

Acquitted.

56. Ann Turner, was indicted for stealing a Cambrick Mob, the Goods of Abraham Hall, Oct. 12, Guilty 10 d.

57. Thomas Mansfield, was indicted for stealing a Cloth Coat, the Goods of Daniel Stebbing, Nov. 15.

Guilty.

58, 59. James Cullimore, was indicted for stealing a Coach Glass out of the Coach-House of the Right Hon. George Earl of Cholmondeley, November 4th, And,

Susannah Benny, for receiving the same, knowing it to be stolen. Cullimore Guilty 4 s. 10 d. Benny Guilty.

E

60. Sarah

60. Sarah Jones, was indicted for privately stealing a Linnen Money Bag, a Guinea, and 3 s. 6 d. from the Person of *Joseph Hosket*, Nov. 16th. Guilty single Felony.

61. James Cathery, was indicted for stealing a Linnen Shirt, the Goods of *Thomas Hutchins*, and three Shirts and two Stocks, the Goods of *William Tiplady*, October 29.

Acquitted.

62. John Johnson, was indicted for privately stealing 8 Hogs Cheeks, 16 pound of Fat, and two pound of Tripe, the Goods of *Thomas Trueman*, in his Shop, Oct. 26th.

Guilty 10 d.

63. Sarah Wickey, was indicted for stealing three Linnen Pillowbiers, and other Things, the Goods of *Samuel Bucknal*, Nov. 28th.

Guilty 10 d.

64. Mary Perry, was indicted for stealing four linnen Caps, and other Things, the Goods of *Phebe Burtle*, November 15. Guilty 10 d.

65. Ann Chambers, was indicted for stealing a Copper Stew-pan, and a Brass Sauce-pan, the Goods of *Philip Lewin*, October 6th.

Guilty 10 d.

66. James Barret, was indicted for privately stealing a Gold Watch, and a Steel Chain, from the Person of *Thomas Cooper*, Oct. 29.

Mr. Cooper. On the 29th of October, about three in the Afternoon, coming down *Ludgate-Hill*, between Mr. *Abley's* Door and the *Rainbow Coffee-house*, I was attacked by the Prisoner and 3 or 4 more. They jostled and pushed me backwards and forwards, and at last pushed my Servant from me. Then they held up my Arms, and that very Man at the Bar ran at me, in Order to take my Watch from me. He got hold of the Chain, and with the first pull he broke one of the Links of it, upon which I spoke to him, but notwithstanding that, he pull'd a second Time, and then got it, and I saw it in his Hand. He was taken presently and carried to the Watch-house, and from thence to *Bridewell*, and before I could see him, he had chang'd his Dress.

John Hall. On Lord-Mayor's Day, I was walking in Procession with the *Haberdasher's* Company, and just as we came to Mr. *Abley's* Punch-House, I heard an Out-cry of a Pick-pocket. I saw the Prisoner stooping under the Pole of a Coach, and this Watch thrown under the Horses

Legs. I took up the Watch and carried it into Mr. *Abley's*, where Mr. *Cooper* describing it, I gave it him, and I believe it has been in his Possession ever since.

John Blay. I was standing over-against Mr. *Abley's* to see the *Armourer's* Company go by, and heard some People cry, *Stop Thief!* Immediately the Prisoner try'd to push under the Pole of a Hackney Coach; I took hold of his Collar, and he made great Resistance, but a Soldier coming to my Assistance we secured him, and carried him to the Watch house.

Mr. *Abley* confirm'd Part of Mr. *Hall's* Evidence.

Pris. Last Lord-Mayor's Day I happened to be upon *Ludgate-Hill*, and about 5 Minutes after the Man on Horseback was gone by, there was a Cry of *Stop Thief!* Presently a Man rushed by me, and that Man (*Blay*) said he would lay hold of me.

William Webb. I have known him two Years and upwards, and never knew no Harm by him. His Business is a *Poulterer*, and he always bore an honest Character.

Jury. Does he keep a Shop?

Prisoner. No, I am a running *Poulterer*.

John Riley had known him about a Year and half coming backwards and forwards, and never saw nothing by him but what was civil and honest.

Ann Ilsey never knew but that he was an honest Man, and bore a very good Character in the Neighbourhood, and all Parts where he lived.

Elizabeth Smith had known him to buy and sell about the Streets 5 or 6 Years, and never heard that he was guilty of such a Thing.

William Ennes never heard an ill Character of him before this.

Guilty, Single Felony.

67. William Franklin, was indicted for stealing the Movement of a Clock, the Goods of *William Winrow*, Oct. 19. Guilty.

68. Haimah Cotterel, was indicted for stealing a Copper Coffee-Pot, the Goods of *John Lewis*, Nov. 14. Guilty 10 d.

69. David Shobel, was indicted for stealing a Cheese Knife, value 4 d, the Goods of *James Arters*, Nov. 5. Acquitted.

70, 71. Abraham Jacobs and Moses Casdora, were indicted for breaking and entering the Dwelling-house of *Henry Cooley*, and stealing

ing

ing a Silver Watch, the Goods of *Samuel West*, Nov. 16. Both acquitted.

72. *Hannah Rossiter*, was indicted for stealing a Silk Handkerchief, and 3 s. the Goods and Money of *Thomas Bigee*, Oct. 15.

Thomas Bigee. I am a *Waterman* by my Business. On the 16th of *October*, I had been out all Day with a Fare, and made it very late at Night before I landed them at *Westminster*, and being late I got a Coach for them, and they left me. After this, as I was walking along to *Hungerford*, this Woman met me, and said, *How do you do Brother Waterman?* I told her I did not know her: why says she, I have seen you often enough at *Westminster*. She asked me to make her drink; I told her I did not care if I did; and she told me there was an Acquaintance of her's just by, where we could have a Glass of good Wine. I said Wine was too dear for Watermen; but however she carried me as far as the *Haymarket*, and we went into a Room, and called for a Pint of Wine. She sat down on one Chair and I on another, and when we had drank out that Pint, I was for going, but by her Persuasions I called for another. I being tir'd with sitting up so long, sat down on the Bed, and I suppose she thought I was asleep, for I had not been there 5 Minutes before she made bold to take the Handkerchief off my Neck. I had a Mind to see what she would do with me, and therefore I lay still; but presently she put her Hand in my Pocket to feel for my Money. Then I thought it Time to get up, and said I, you saucy impudent W——e, can't you be content to take my Handkerchief, and not my Money? D—— your Eyes, said she, did I take your Handkerchief? that was the next Word: why I saw you, said I; D—— you, said she, I took none; that was the next Word. I took 3 s. out of my Pocket, (for I had Money in both) and laid it on the Table, but her Hands were quicker than mine, and she took that too. I took hold of her, and tore her Apron out of the Gathers, and then she said she would swear her Life against me. I would not make any Disturbance in the Room, so I deliver'd her to a Watchman, and he said he knew her to be a Whore and a Thief from her Cradle, that was the next Word. They put her down the dark Hold, and took my Word. I next Morning, and then we went to the Justice's, where she pull'd out 3 s. one of them was *Queen*

Ann's Shilling, and she d——d me and said, she would be merry with that. As soon as she came out of the Justice's, she shew'd her white Stockings, and said, do you think these white Stockings can walk to the *Gatehouse*? No, D—— you, I will have a Coach; and so because she should not plague us, I gave them a Shilling to get *Madam a Coach*.

Pris. If he found me taking his Handkerchief, why did he not take hold of me?

Bigee. Because I had a Mind to lie a little longer, to see what she would do with me, for I did not know whether she would not take all my Coats off.

John Gaywood. I was before the Justice with her, and she denied taking the Handkerchief, but when she came out of the House she put her Hands under her Coats in this Manner, and said, *Here you Blackguard, here is your Handkerchief, and I'll carry it to Goal with me to keep my Head warm.*

John Howard deposed to the same Effect.

The Prisoner having nothing material to offer in her Defence, nor any Witnesses to call, the Jury found her Guilty.

73, 74. *Daniel Bound*, and *Mary Bound*, were indicted for stealing a Looking-glass, and a Copper Saucepan, the Goods of *Brian Doyle*, in a Lodging, Oct. 1. Both Acquitted.

75. *Jane Evans*, was indicted for privately stealing a Silver Watch, from the Person of *James Rigby*, Oct. 26.

The Prosecutor not appearing, the Prisoner was acquitted.

76. *Lucyeta Levine* alias *Levine*, was indicted for privately stealing a Gold Watch, value 12 l. from the Person of *Thomas Slocomb*, Sept. 6.

Thomas Slocomb. On the 5th of *Sept.* about 7 or 8 o'Clock at Night, I was coming along by the *Fleet Market*, and the Prisoner came up to me, and asked me to give her Part of a Pint of Beer. I asked her what I should get by that? but however she led me into some back Streets, and took me into a House in a narrow Passage, where I had not been 3 Minutes before I missed my Watch. Immediately the Prisoner ran down Stairs: I caught hold of her, but missed my hold, and then a little Girl came up Stairs, and asked me what was the Matter? I told her I had lost my Watch, upon which she took me down

down a different Way to a Public House, pretending to help me to the Prisoner. She went in herself and bid me stay at the Door till she came out again; and I thinking she staid long, went in to enquire for her, but she was gone. After this I went up and down, and happen'd to hear a strange Girl say that *Lucretia Devine* had stole a Gold Watch, so I desir'd her to shew me where she lived, and she accordingly carried me to the Prisoner. I was by myself then, and therefore was afraid to apprehend the Prisoner; but on Admiral *Vernon's* Birth Day, I took her, and while I went to get a Constable she made her Escape, and I could hear nothing of her till last Monday.

Prisoner. I do live at the House to be sure, but it was short arm'd *Joice* that picked him up.

Thomas Williams. About 10 or 12 Weeks ago, I met the Prisoner in *Cheapside*. She ask'd me to give her a Pint of Beer, and we had some Discourse about this Watch, and while we were talking, short arm'd *Joice* came in and said, *What signifies your talking? I committed the Robbery!*

Edward Lloyd deposed to the same Effect.

Robert Lucas. I happen'd to go into the House where the Prosecutor and the Prisoner were, and I heard him say she was not the Person that pick'd his Pocket, and that he had no Design to Prosecute her, only to put her in a little Fear and Terror. Acquitted.

77, 78. *Sarah Ghost*, was indicted for stealing 2 Silver Spoons, the Goods of *Matthew Davis*, and *Mary Ghost*, for receiving them, knowing them to be stolen.

Sarah Guilty 10 d. *Mary* Guilty.

79. *William Charlotte*, was indicted for privately stealing a Silver Watch, and a Steel Chain, from the Person of *Matthias Bates*, Nov 6.

Acquitted.

So. *H* — *W* — was indicted for stealing 60 Yards of Cambrick, and divers other Things, the Goods of *John* and *Edmund Wilcox*, in their Dwelling-House, Dec 2.

Guilty single Felony.

N. B. Whoever presumes to print any of these Trials will be prosecuted with the utmost Severity.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 11.

Esber Burnham, John Newman, William Warner, John Deane, Dominick Fitzgerald, James Lee, Mary Dutton, Samuel Shuffe, Joseph Lacock, Ann Holland, and Margaret Watson.

To be WHIPPED, 8.

Jane Radford, Mary Howard, Evan Evans, Ann Turner, John Johnson, Sarah Hickey, Sarah Ghost and Hannah Cotterel.

TRANSPORTATION for 7 Years, 29.

Elizabeth Jackson, Joseph Holdsworth, Richard Whitehead, John Lillison, Ann Stedman, Isabella Sadler, John Hominy, John Freeman, William Johnson, Thomas Redhead, S — G — Ann Darling, Robert Blewit, Thomas Cooper, Elizabeth Windsor, John Hepworth, Thomas Mansfield, James Cullimore, Samuel Jafferries, James Barret, Sarah Jones, Hannah Rossiter, Mary Perry, Ann Chambers, William Franklin, Charles Henshaw, Elizabeth Tipton, Thomas Hewitt, and H — W —

TRANSPORTATION for 14 Years, 4.

F — B — Susan Benny, Elizabeth Dogget, and Mary Ghost.

John Scot convicted last May Session of Horse-stealing, having receiv'd his Majesty's Mercy on Condition of Transportation for 14 Years, was brought to the Bar and received sentence accordingly.

Sir ROBERT GODSCHALL, Knight, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on Friday the 15th of January next, at Eight o'Clock in the Morning.

THE
PROCEEDINGS

AT THE

Sessions of the Peace, Oyer and Terminer,

FOR THE

CITY of LONDON,

AND

County of MIDDLESEX,

ON

FRIDAY the 15th, SATURDAY the 16th, MONDAY the 18th,

and TUESDAY the 19th of JANUARY,

In the 15th Year of His MAJESTY's Reign.

NUMBER II. for the YEAR 1742.

BEING THE

Second SESSIONS in the MAYORALTY

OF THE

Right Hon^{ble} Sir Robert Godschall, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed and Sold by T. PAYNE, in Bishopsgate-Street, near the
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(Price Six-PENCE.)

THE PROCEEDINGS

AT THE

Sessions of the Peace, Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable Sir ROBERT GODSCHALL, Knt. Lord-Mayor of the City of London; Mr. Justice PARKER; Mr. Justice WRIGHT, Mr. Baron AENEY; Sir JOHN STRANGE, Kt. Recorder, Mr. Serjeant URLIN, Deputy-Recorder, and others his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal Delivery of Newgate, holden for the said City and County of Middlesex.

London Jury.

Middlesex Jury.

George Pinkney,
Thomas Parker,
Stephen Prue,
William Chamberlain,
John Grudee,
Benjamin Granville,
William Whipham,
John Buckland,
Thomas Martin,
Andrew Delancy,
Richard Peat,
Benjamin Blagdon.

John Prater,
William Gilmore,
John Baker,
William Wyat,
Edward Wren,
William Blackwell,
William Bilson,
John Girdler,
Samuel Spencer,
James Whittle,
John House,
William Brackley.

1, 2. William Brown and Moses Davis, of St. Paul Covent Garden, were indicted for stealing 30 Tame Pheasants, of the Value of 3 l. the Property of John Crew the younger, Esq; knowing them to be tame, Nov. 19.

John Hill. Moses Davis told me, that upon the 15th of Dec. at Night, himself and his Partner William Brown, stole 15 Brace of Pheasants belonging to Mr. Crew; and that he held the Bag while Brown put them in. He likewise informed me, that when they got a little Way from Mr. Crew's House they killed 21, and the rest they brought to Town alive.

Q. Did they tell you from whence they took them?

Mr. Hill. They said they took them out of Mr. Crew's Pens in the Garden.

Q. Where did Mr. Crew keep these Pheasants?

Mr. Hill. I am his Servant, and we have Pens made for them in the Garden, which are about the Compass of this Court.

Pris. Davis. Did he ever see me about the Place, or ever hear an ill Character of me before?

Mr. Hill. No.

Holt Crowther. Mr. Crew's Servant (Hill) informing me that his Master had been robb'd of some Pheasants, we agreed together to go to Mr. Deveil and ask his Advice. He directed us to the Gatehouse to enquire for Moses Davis: We accordingly went thither, and Davis was brought down to us, and he acknowledg'd that himself and Brown were concern'd in this Fact.

Q. Did he mention Mr. Crew's Name?

Crowther. I mention'd that Mr. Crew had lost 15 Brace of Pheasants from Farnham-Royal, and he then owned that himself and Brown took them out of the Pens, and that he held the Bag while Brown put them into it. He likewise said, that he went that Way some Time ago, and heard the Cock Pheasants crow, which brought him to the Pens now. That he brought 9 only out of the 30 alive to Town, and had fed them with Bread and Meat at the Cart and Horse in St. Giles's.

Thomas Green. On the 16th of Dec. the two Prisoners came to my Master, Mr. Lipscomb's Shop in St. James's Market, and offer'd 6 Pheasants for Sale. I had before this seen an Advertisement of some Pheasants that had been lost, upon which I charg'd a Constable with them, and carried them before Mr. Deveil, who committed them to the Gatehouse for farther Examination.

Q.

Q Which of the Prisoners offer'd the Pheasants to sell ?

Green. To the best of my Knowledge it was the tall Man in the Wig, that is *Brown*, and he told me he bred them himself. I imagined at first that these were the Earl of *Essex's* Pheasants, therefore I went to his Lordship's House, but he not being at Home, we took the Pheasant-Keeper with us, and went directly before Mr. *Deveil*, and before we got there, *Brown* contradicted what he had told me, and said he bought the Pheasants on the Road.

Q When *Brown* was before Mr. *Deveil* did he confess any Thing ?

Green. Not that I heard. *Davis* confessed that he stole them, and said they were not my Lord *Essex's*, but Mr. *Crew's*.

Jervis Morris. I keep the Horse and Cart in *St. Giles's*, and the Prisoner *Brown* was my Lodger.

Q Was you present when *Davis* was before the Justice ?

Morris. I was there Part of the Time, but did not hear him confess any Thing.

Mr. *Hill*. The Confession which I speak of was not before Mr. *Deveil*, but at the *Gatehouse*, and he repeated the same next Day before Mr. *Deveil*.

Josua Brogdon. When the 2 Prisoners were brought before the Colonel the second Time, my Lord *Essex* was present, and *Davis* began to tell the whole Truth, and desired to be admitted an Evidence. *Brown* then desir'd that he might, and each of them seem'd to be in a great Hurry to speak, but when *Brown* perceived that neither of them would be admitted to give Evidence, he said to *Davis*, now you have begun tell the whole Truth. Then *Davis* describ'd the Walk to *Farnham-Royal*, and confessed that himself and *Brown* stole about 15 Brace of Pheasants from Mr. *Crew's* Pens.

Q Did *Brown* confess any Thing ?

Mr. *Brogdon*. Yes, he own'd that he was present when *Davis* took the Pheasants.

Q Were there any Menaces or Threats made Use of to induce them to make this Confession ?

Mr. *Brogdon*. No, none at all, when they were first before Mr. *Deveil*, *Davis* was asked, whether he was willing to be an Evidence, and he refused.

Pris. *Davis*. Did he not hear us called Deer-stealers ?

Mr. *Brogdon*. There was no such Word mention'd.

Thomas Cutler confirmed Mr. *Brogdon's* Deposition.

Mr. *Deveil*. When these 2 Persons were first brought before me, *Davis* desir'd to speak with me in private, and then began to tell me of this Robbery at *Farnham-Royal*. I told him, if he would be an Evidence concerning my Lord *Essex's* Pheasants, I would on Account of his Family admit him to be one ; but he absolutely denied that he knew any Thing of that Robbery ; upon which I committed him to the *Gatehouse*. A Day or two afterwards there came full Evidence of both Robberies, and I then had the Prisoners again before me. *Davis* then confessed Mr. *Crew's* Robbery, and describ'd the Place in such a manner, that it was known to be *Farnham-Royal*, and discover'd the *Poulterers* where the Pheasants were sold.

David Read. I was present when my Lord *Essex* was with the Prisoners before Mr. *Deveil*, and when *Davis* had gone a great Way in his Confession, *Brown* bid him go on, and tell the whole.

The Prisoners in their Defence attempted to prove their buying the Pheasants on the Road, but it not being done to the Satisfaction of the Jury, they were both found Guilty.

They were a 2d Time indicted for stealing 19 tame Pheasants, value 3 l. the Property of the Rt. Hon. *William Earl of Essex*, Dec. 19.

The Prisoners were convicted on this Indictment likewise, and accordingly receiv'd Sentence of Transportation for 7 Years.

3. *Eleanor Morgan*, was indicted for stealing a Sword with a Silver Hilt, value 20 s. the Goods of *Daniel Ocarrol*, Dec. 5. Guilty.

4, 5. *Thomas Pinks*, and *Stephen Jenkins*, were indicted for assaulting *Francis Simmonds* on the King's Highway, in the Parish of *St. Leonard Shoreditch*, putting him in Fear, &c. and taking from him 36 Fowls, val. 2 l. 10 s. a Sack, val. 1 s. a pair of hawking Bags, val. 9 d, a Knife, val. 2 d, and 1 s. 3 d, the Goods and Money of the said *Simmonds* ; and a Guinea and 3 l. the Money of Persons unknown, Dec. 1st,

Francis Simmonds. I am a Higler. About six Weeks ago I was coming to Town with a parcel of Fowls, and within a quarter of a Mile of *Shoreditch*, I was attack'd by the two Prisoners at the Bar. *Pinks* knock'd me off my Horse, and led him to a Ditch, and then search'd my Pockets. I am certain they are the Men, for the little one (*Jenkins*) beat me several Times over the Head with his Fist and Pistol. They took from me 4 l. in Money, (which was all in Silver except a Guinea ;) and that I brought up to Town to pay away for a Person that deals with me. I likewise lost 15 d. of my own Money, four dozen of Fowls all!

all but five, a Sack, a pair of Hawking-bags and a Knife which were all my Property.

Pris. Pinks. He says he was robb'd 6 Weeks ago, and it is 8 Weeks since he accused us of the Robbery.

Simmonds. I can't tell the Time exactly : I was so much abused, that I have not been myself since.

John Haine, Constable. When *Pinks* was first taken into Custody, I found upon him about 27 s. in Silver and some Half-pence. I asked him how he came by it, and he said he had sav'd it out of his Labour. I told him, if it was so, he had no Reason for making me come after him so often for Money for the Watch. I look'd upon the Money, and found a very remarkable half Crown, which I told him I would keep and shew to the Justice : I happen'd at that Time to be busy, and sent for two of my Headboroughs, and gave the Money to Mr. *Edwards*, who has kept it in his Custody ever since.

Richard Edwards. I being Headborough, search'd *Pinks's* House for some Fowls that were lost. When I came in, I found *Pink's* at Dinner with four Fowls on the Table ready dress'd. I took them before the Justice, but there being no body that could swear to the Fowls, the Prisoners were discharg'd. The Justice took an Inventory of the Things, and the Tuesday following, the old Man (*Simmonds*) came to Town and swore to the Money. The Prisoners then absconded for eight Days, and when they came up to Town again I took them. This is the half Crown that Mr. *Haine* deliver'd to me.

Haine. This half Crown I took out of *Pinks's* Pocket, and deliver'd it to Mr. *Edwards*.

Simmonds. I had this half Crown in my Pocket when I was robb'd ; there is a cut on the Head that I know it by.

Pinks. Ask the Prosecutor how long he had this Money in his Custody ?

Simmonds. I have had it 5 or 6 Weeks off and on.

2. When did you receive this Money to bring to Town ?

Simmonds. I was robb'd on the Monday Night, and I receiv'd the Money on the Saturday before. This half Crown I had receiv'd several Times, and it has been refus'd, because it was not good, and I put it into my Pocket then to make up my Money.

Pris. Jenkins. I am innocent of the Matter ; and it is my Opinion that I was a bed and a sleep when the Robbery was committed.

Both Guilty, Death.

6. *Richard Harbey*, was indicted for stealing 15 glass Salts, val. 10 s. a glass Candlestick,

val. 1 s. a glass Crewit, val. 1 s. a glass Castor tipp'd with Brass, val. 1 s. and several other Things, the Goods of *John Betts*, in his dwelling House, Dec. 19, And,

7. *Thomas Merriton*, for receiving them knowing them to be stolen. Both Acquitted.

8. *Thomas Friend*, of *St. James's Westminster*, was indicted for stealing a silver Dish, val. 5 l. the Goods of the Rt. Hon. *Benjamin Earl Fitzwalter*, in his dwelling House, Dec. 26.

Henry Longmore. We lost a silver Dish from my Lord *Fitzwalter's* in *Pall-Mall*, and we had some suspicion that the Prisoner had taken it away : upon which Mr. *Jervis* and I went down to *Gravesend* in pursuit of him ; and we found him on Board a Ship there, and brought the Dish away with us. This was on the Friday, and on the Monday following I went again to *Gravesend*, and apprehended the Prisoner.

Morris Roberts. I am Cook to my Lord *Fitzwalter* ; on the 26th, of Dec. the Prisoner came to my Lord's House to see a Relation of his who was employ'd to Work there, and on the Monday following we miss'd the Dish. We had very great Reason to suspect that he had taken it ; upon which Mr. *Longmore* and Mr. *Jervis* went to *Gravesend* after him, and when the Prisoner was brought to my Lord's House, I ask'd him how he could do such Things ? he reply'd, he was very sorry, and wish'd the Dish had been in the House an hundred Times after he had taken it out. He likewise own'd that he himself scrap'd the Coat of Arms out of the Dish, but denied that he cut it into Pieces.

Pris. I did not take the Arms out of the Dish, nor cut it to Pieces ; one of my Shipmates did.

John Jervis. On the first of this Month, at the Desire of my Lord *Fitzwalter*, I went down to *Gravesend* with Mr. *Longmore*, in Pursuit of the Prisoner. It seems he had told somebody that he belonged to the *Defence*, Capt. *Coates*, upon which we examined there, and could not find him ; but we were directed to go on board the *Augustus*, Capt. *Townsend*. Accordingly I went on Board the *Augustus*, and told the Mate that I came to enquire for a Silver Dish that had been lost, therefore desir'd to have the Prisoner's Chest upon the Quarter-deck, that I might search for it ; but instead of that, the Mate brought up the Dish, cut into four Pieces as it is here.

2. Had you any Conversation with the Prisoner ?

Jervis. On the Quarter-deck I asked him, how he could rob my Lord, where his Aunt lived, and he said, his Aunt at *Knightsbridge* gave him the Dish, and as I was going over the Gangway, I told him, if he could prove it was not my Lord's Dish

Dish, he should have it again. I never had any Discourse with him afterwards, but left him on board the Ship, and the Butler and I brought the Dish to London.

Wm. Saunders. I was sent down to *Gravesend* with my Lord *Fitzwalter's* Butler to fetch the Prisoner. He was brought ashore to us, and we put him into *Gravesend* Goal, and as we were putting on his Hand-cuffs, he cried, and wished the Dish was as safe in the House, as it was when he took it out.

Ann Morgan. One of the Silver Dishes stood upon the Dresser in my Lord's House the same Night this was done, which was the 26th of *December*. The Prisoner took it by the Edge, gave it a little Turn, and said, the Pewter look'd very well, but I did not see him take it away.

Prisoner. I did not take the Dish off the Dresser; I was coming up Stairs, and seeing it lye down, I happened to take it up.

Guilty Felony.

9. *John Joire*, was indicted for stealing a Leather Saddle, Value 5 s. the Goods of *Thomas Davis*, in his Stable. *Jan.* 4th. Acquitted.

10. *Elizabeth Elms*, was indicted for stealing a Brass Pot, Value 7 s. and a Copper Fringingpan, Value 2 s. the Goods of *Alexander Ainsley* *December* 25. Acquitted.

11. *John Jolly*, was indicted (with *William Gibbs* not taken) for stealing a Wooden Cask call'd a Pipe, Value 5 s. the Goods of *Henry Guest*, *Dec.* 4.

The Prosecutor not appearing, the Prisoner was acquitted.

12. *Eleanor Brown*, of *St. Mildred in the Poultry*, was indicted for assaulting *Susannah Nichols*, in a certain Street, putting her in Fear, &c. and taking from her a green Silk Purse, value 1 d. a Steel Seal, value 4 d. and 16 s. in Money. *Jan.* 4.

Susannah Nichols. Last Monday was se'nnight, at a little after five in the Evening, I was coming from *Newgate street* towards the *Poultry Compter*, and just as I came to the Apothecary's Door, the Prisoner came behind me, and held me fast down. I attempted to get from her into the Middle of the Highway, and some Fellows jostled me, and kept me close to her. Immediately I felt a Hand in my Pocket; I can't say I could tell whose it was, but she stuck so close to me, that I can't think it was any but her's.

Q. Did you lose any Thing?

Mrs. Nichols. Yes: I lost a green silk Purse, with a Steel Seal in it, and about 16 s. in Silver,

and perceiving my Purse go, I cry'd out Murder or three Times, and then the Prisoner looked her Hold.

Q. How long before that, can you take upon you to say, you had your Purse in your Pocket?

Mrs. Nichols. About a Quarter of an Hour before I came from *Newgate street*: I had just received ten Shillings and put it into my Purse.

Pris. Q. How far did she walk that Night before this befel her?

Mrs. Nichols. From the Place that is called *Blowbladder street*, which is about a Quarter of a Mile I believe.

Pris. Q. Might you not have had the Money taken privately from you before you met with me?

Mrs. Nichols. No, I felt it go at this Time.

Q. Are you sure the Prisoner is the Woman?

Mrs. Nichols. Yes, it was not quite dark, but very Moon-light, and there was not a shop shut up.

Q. As the Prisoner was behind you, how could you take Notice of her Face?

Mrs. Nichols. With my struggling, I turn'd about with my Face to her's.

William Offley. On the 4th, of *January*, about 6 in the Evening, I was going down the *Poultry*, and a little beyond the *Compter* I met the Prisoner and this Gentlewoman (*Mrs. Nichols*) as near together as it is possible for two Women to be, and both of them surrounded by a parcel of Men. I knowing *Mrs. Nichols*, and hearing her cry out Murder, I stepp'd up to her, but before I could get up to her, the Prisoner had made her way through the other part of the Mob. I can't say that I saw her run, but I think she went off in the usual Manner.

Q. Are you sure the Prisoner is the Woman that you saw so near *Mrs. Nichols*?

Offley. Yes, I am certain she is the Person.

Q. Did she complain of being robbed at that Time?

Offley. Yes, about three Minutes after the Woman was gone, she stepped into the Entry at the *Compter*, and said she had been robb'd.

Pris. Q. You say there was a great Croud of People; were not a great many as near to the Gentlewoman as I?

Offley. To the best of my Knowledge there was no Person so near *Mrs. Nichols* as the Prisoner.

John Garnal. On Monday about the fourth of this Instant, about 6 o'Clock, I was coming from *King street, Cheapside*, and when I came within a few

few Yards of the *Poultry*, I saw six or seven Men hauling the Gentlewoman, and pushing her to and fro. She cried out, but I can't be certain what the Words were; I believe it was *Murder*, but I can't be certain. It being pretty near the *Compter* Passage; I apprehended they were taking her into the *Compter*, upon which I went up to them, and just as I came even with them, they all separated and left the Gentlewoman to herself. I then observed her clap her Hand to her Side, and thought I heard her say, her Watch! her Watch! Then the Prisoner crossed the Way on the other Side of the *Poultry*. She went an exceeding Pace, sometimes walked, and sometimes ran, so that I could not keep Pace with her without sometimes running myself, and upon her coming from them, and making such Haste, I believed her to be a Person concerned. When she came to the Corner of *Walbrook*, she turned down, and I believe might be a dozen Yards before me. I followed her to see where she went, and when I turn'd the Corner, I saw her take off her Cloak, and put it under her Arm, and run with full Speed. I then thought she certainly had the Watch about her, upon which I ran and grasp'd hold of her, and told her, she had stolen a Watch: It was just by the Poulterer's Shop that I first seized her, and a Man came out of the Shop to my Assistance, and took hold of her likewise. Immediately I heard two Blows behind me, and the Person that had got hold of the Prisoner's Arm reel'd a little on one Side. Soon afterwards I received a Blow myself on the Side of my Head, and turning about to see from whence it came, the Prisoner sprang out of my Arms. I pursued her, crying out *Stop Thief!* up *Buckler's Bury*, I overtook her again, and stopped her a second Time, and call'd for Assistance. Upon which, I heard the Person that followed her, strike about very smartly with his Stick, and I desired the Person, at whose Door I seized her, to let me bring her in, but he held the Door against me. I then took her into the House of one Mr. *Bingham*, a Silk-Dyer, and told her, she had stole a Watch, upon which, she was very willing to be searched, and turned a Purse and other Things out of her Pocket. She pretended that she was entirely innocent of the Matter, and that she was going to the Bottom of *Walbrook* to see a Friend who was going out of Town. After we had staid some Time at Mr. *Bingham's*, the Person was brought in that follow'd us, striking those that endeavour'd to take the Prisoner, and we carried them

both to the Watch-house, where the Man pull'd out a Purse and shook some Silver out of it into his Hand. They were both carried next Day before the Alderman at *Guildhall*, and ordered to be search'd; and the Woman then produc'd a green Purse, and the Man a light blue one, which I can take my Oath was not the same that he pull'd out at the Watch-house.

George Lesley. I was not present when the Fact was committed, but I was going from *Walbrook* towards *Cheapside*, and by the Poulterer's Shop, facing the Mansion-house, I saw this Man (*Garnal*) holding that Woman at the Bar. He said, she had stole a Watch, and desired me to assist him. I was at a Loss whether I should stop or go past, and just as I came up to them, a Man rush'd from *Cheapside*, and struck me over the Head. I asked him, why he struck me? and he said, she was his Wife, and he knew she was innocent. While he was repeating these Words, he redoubled his Blows, and struck me again, and likewise the Man that had hold of the Prisoner. She then ran with the Man that struck us, up *Buckler's Bury*, and so we pursued them, crying *Stop Thief!* The other People ran faster than I, so that I was a little distanc'd, and saw no more of them 'till I came to the upper End of *Buckler's Bury*, and perceiving the Man using his Stick as smartly as before, I seized him; the Woman was taken by somebody else at the same Time, and when they came together they denied that they had ever seen each other before.

Q. How near was the Prisoner to that Man when they ran off together?

Lesley. They were so near that I can't fix any Distance.

Q. Did they seem to be acquainted with each other?

Lesley. The Man told me she was his Wife, and he knew her to be innocent.

Q. Was the Prisoner in hearing then?

Lesley. She was near enough to hear, and did not contradict it; but whether her struggling with this Man might not prevent her hearing it, I can't say.

William Lambkin. On Monday the fourth of this Instant, I was standing at my Door in *Buckler's Bury*, and heard a Cry of *stop Thief*; and seeing the Prisoner run very fast up the Street, I took hold of her. She struggled with me very much, and in the mean Time *James Robinson* ran after her and struck me. In order to avoid the Blow, I let go the Prisoner, and pursued her again, and had not run above forty Yards, before she

she was taken by *Garnal*.

Defence. I was going to a Master of a Ship at *Wapping*, and hearing them cry *Stop Thief!* I ran to hear the Noise, as you know Country People generally do. I had my Cloak over my Arm, and this Man stopp'd me, and said, the Lady had lost her Watch. He got me into a House, and I was searched, and I had neither Gold nor Money, but half a Guinea and a Shilling in my Pocket.

Mary Anne Smith. Last Monday was seven-night, a little before Night, the Prisoner call'd at my House, and said, she was going down to *Wapping*, to enquire after some Country People, and desired me to go with her. She hurt her Foot going along, and we went Arm in Arm down the City; and just by the *Poultry-Compter*, (I think they call it) a Croud of People came by, and shov'd me down, and so we parted.

C. Did you hear any Out-cry in the Street then?

Smith. No, but there was a whole Heap of People came along and parted us, and tumbled me down.

C. When you fell down, what Distance was the Prisoner from you?

Smith. I can't tell; she was shov'd away from me as I suppose.

C. Why did not you ask for your Companion when you got up?

Smith. Who should I ask among Strangers? I turn'd about to look for her, but could not see her.

C. Were you at any Time near the *Poultry-Compter Door*?

Smith. I think this was against the Church.

C. Was there nothing said of the Loss of a Watch in your hearing?

Smith. No, nothing at all.

Q. Where did you go when you got up?

Smith. I was going to my Mother's in *East-Smithfield*, and the Prisoner having some Business at *Wapping*, I was to go Part of the Way with her. I live in *Shoe lane*; my Husband is a Journeyman Brasier, and I have known the Prisoner about half a Year.

Ann Howard. The Prisoner was a Chair-woman to me. I have known her about seven or eight Months. She has been in my House a Week together, and I always took her to be an honest pains-taking Woman.

Margaret Downs. I have known her 16 or 17 Years; she was a Servant to one *John Stevenson*, upon *Newcastle Bridge*. I recommended her to

my Brother, and I should not have sent her there, if I had not heard that she bore a good Character.

John Swinton. The Prisoner lodged at my House about 9 Months, and was recommended to me by the last Witness. I have entrusted her with every Thing in the House, and never knew her addicted to pilfering. The Night she was apprehended, she went from my House with a Design to go to *Wapping* to see a Relation that was going to *Newcastle upon Tyne*; and I take her to be as honest a Woman as any in the Parish.

Q. Where do you live?

Swinton. At the *Whittington* and his Cat in *Bloomsbury Market*.

Frances Gammon. I have known the Prisoner ever since the beginning of last Summer: She used to come down to my House in *Wapping* to enquire after Masters of Ships in *Newcastle*, who very often us'd to bring her little Pretents. About a Fortnight ago, the 3d Day of this Month, was my Child's Birth-Day, who was three Years old, and the next Day this young Woman (*Smith*) came to my House to wait for the Prisoner.

Littleton Westley. I have known her between 7 and 8 Months. I have employed her to wash for my Family, and never knew but that she bore a very good Character.

Guilty Death.

13. *John Jenkins*, was indicted for stealing 7 Ells of chequ'd Linnen, value 5s. the Goods of *John Crookbank*, Dec. 5. Guilty.

14. *Margaret Lumley* alias *Burgess*, of *St. George, Bloomsbury*, was indicted for stealing a Silver Mug, a Silver Tankard, a Silver Salver, a Silver Cup, 2 Silver Pepper-Castors, a Silver Punch Ladle, a Silver Saucepan, a Silver Salt, 6 Silver Tea Spoons, a pair of Silver Tea Tongs, a pair of Silk Shoes, a pair of Clogs. 4 Cloth Coats, 2 Cloth Waistcoats, a pair of Cloth Breeches, a Gold Ring set with 6 Diamonds, a Silk Gown, a Silk Petticoat, 2 Shirts, 3 Sheets, a Gold Ring, a Gold Ring set with a Garnet and 4 Diamonds, the Goods of *John Simmonds*, a Gold Ring with a Cypher, and a pair of Gold Ear Rings set with Garnets, the Goods of *Catherine Simmonds*, in the Dwelling-house of *John Simmonds*, Dec. 23. And,

15. *Richard Burgess*, for receiving a Silver Mug, a silver Tankard, a silver Cup, 2 Pepper Castors, a silver Punch Ladle, a silver Saucepan, a silver Salt, 6 Tea Spoons, a pair of silver Tea Tongs, a pair of silk Shoes, a pair of Cloth Breeches, 3 Sheets, a Gold Ring with a Cypher,

and

and a Gold Ring set with a Garnet and 4 Diamonds, Part of the said Goods, knowing them to be stolen.

John Simmonds. On the 23^d of Dec. in the Evening, I was spending the Evening at a public House, and my Daughter came to me, and Inform'd me I had been robb'd. I went Home directly and missed the Goods mention'd in the Indictment. The next Day I went to *Goldsmith's-Hall*, and advertised my Goods, and the Day following one of the Gold Rings was brought to my House, but I can't tell by whom, because I did not see the Person that came with it.

Catherine Simmonds. I am Daughter to the last Witness. On the 23^d of Dec. I went to the Prisoner's House, and while *Lumley* and I were at Dinner, the other Prisoner came in. When we had din'd we went to our House, and when I had put on a clean Apron, we went out to go as far as the *Fleet*: there were the two Prisoners, my Sister, and I together, and when the Man (*Burgefs*) came as far as *St. Andrew's Church* in *Holborn*, he swore he would go no farther. She (*Lumley*) would have gone on with us, but he made her go back with him, and so I and my Sister parted from them. We went then as far as the *Fleet*, and as we came along from thence, we called at another Place, so that it was near six o'Clock when we got Home.

2. In what Condition did you find the House then?

Simmonds. We found the Street Door and the Parlour Window both open, and we directly missed all the Goods that are in the Indictment. My Father advertised them on the *Thursday*, and on the *Friday*, which was *Christmas-Day*, this Gold Ring was brought to our House by Mr. *Manners*, a *Goldsmith* in the *Strand*. After this I went to the *Swan Tavern* the Corner of *Newport Market*, where I receiv'd Instructions from several of our Relations, how I should go to find the Prisoners. Accordingly the *Goldsmith's* Maid and I went to the Prisoner's Lodging, and took them both out of Bed, and carry'd them to the Tavern. We then went before the Justice, and there the Woman confessed she had the Things, and where they were, but the Man denied that he knew any Thing of the Matter. She own'd that she had the Things, and that they were at her Lodging in *May-Fair*, and said that he (*Burgefs*) had the Key in his Pocket, and that he had baited her to do it. *Burgefs* afterwards took the Key out of his Pocket himself, and deliver'd it to her, and we open'd the Room

Door with it, and found all the Things that are in this Sack. She likewise told us, that the Gown and Petticoat, and the Ring with 6 Diamonds, were in pawn in *Marlborough-Mense*, and she went with us to the *Pawnbroker's*, and we found them accordingly. At another of the Prisoner's Lodgings in *Newport Market* we found my Garnet Ear Rings, a Diamond Ring, and a Cypher Ring, and the Woman own'd they were mine.

Pris. Burgefs. Did I give the Key to my Wife (*Lumley*) or to the Constable?

Simmonds. He first denied that he had the Key, but he afterwards took it out of his Pocket and gave it to his Wife.

John Simmonds, jun. I went with my Uncle and Cousin to Mr. *Manner's*, and they describing the Woman Prisoner, we agreed that Mr. *Manners's* Girl and my Sister should go to their Room. Accordingly they did, and *Manners's* Servant knowing her to be the Person that had been at their Shop, the Prisoners were both brought to the Tavern. From thence we carried them before Justice *Frazer*, and we went into the Entry with the Woman Prisoner, where she confessed that she pick'd open the Locks of the Drawers with a Knife, and took the Things away in a Sheet: that she carried them into *Russel-street*, and ty'd them up, and then gave a Man 3^d to carry them into *Hanover-Yard*, where her Husband was waiting for her, and that he (*Burgefs*) carry'd them to *May Fair*. When the Justice had examin'd the Prisoners, we took *Burgefs* to the *Round-house* till next Morning, and when we left him there, *Lumley* desired him to give her the Key of the Room: he at first denied that he had it, but afterwards gave it to her, and then she told me, if I would go with her she would shew us where the Things were. Upon this we took a couple of Coaches, and went to *May Fair*, and open'd the Room Door, and found all the Things that are in this Sack, after which she herself pull'd a Tile out of the Hearth, and took out 2 Gold Rings, a pair of Ear Bobs, and a pair of Gold Buttons. We afterwards carried her to the *Gatehouse*, where she told us she had pawn'd the Petticoat, Gown, and Diamond Rings at *Marlborough-Mense*, and a pair of Sheets in *West street*, and we found them accordingly.

Ralph Warner, Constable. On *Christmas Day* at Night, I was sent for to the *Swan Tavern*, and charg'd with the 2 Prisoners. I took them before Justice *Frazer*, who examin'd them, but they both denied the Fact. After they had been there some Time, the Woman Prisoner went into

into the Passage with this Gentleman, that Gentlewoman and myself, and she own'd to us that she had taken the Things and wrapp'd them up in a Sheet, and going along, she dropp'd the Cup or the Mug, and kick'd it before her, and pick'd it up again: that when she came into *Russel street*, she ty'd the Things up tight, and gave a Man 3 d. to carry them to *Hanover-Yard*. Upon this I told the Justice if he discharg'd the Man Prisoner, he would go and secure the Goods; but the Justice refusing to detain him, I order'd him to aid and assist me. He refused, upon which I again insisted on his being confin'd, and then he was sent to *St. Ann's Round-house*. When we came there, the Woman said to him, *Burgefs! you have got the Key of the Room!* No, (said he) I have it not: Why (said I) when I search'd you just now, you had it in your Pocket. He then deliver'd the Key to her, and that very Key unlock'd the Door in *May-Fair* where these Goods were. After this, *Lumley* went with us to Mr. *Young's* a Pawnbroker in *Marlborough-Meuse*, where the Gown, Petticoat, and Rings were pawn'd; and the Sheets we found by her Direction pawn'd at a Neighbours. When we came to the *Gatehouse*, she told me she had sold some Things to Mr. *Manners's*, upon which I went there, and found some Silver Tea Spoons, and Part of a large Spoon broken, and one that the *Silversmith* said he had melted down. It was near 11 o'Clock that Night before we got her to the *Gatehouse*, and this Gentleman, (*Simmonds, jun.*) and I went with her to her Room in *Newport-Market*, to fetch her Pockets and other Things, that she was to take with her to Prison. We asked her if there was any Things concealed there, and at first she said there was not, but afterwards she said she had often heard her Husband talk of hiding Things under the Bricks and Tiles, and she went directly to the Hearth, and took up a Tile, and found 2 Rings and these Buttons.

Pris. Burgefs. Did I deny the Key when she asked me for it?

Warner. He did deny that he had it.

Elizabeth Robertson. I am Servant to Mrs. *Manners*; and all that I have to say is, that *Lumley* is the Person that brought the Ring to my Mistress.

Emery Needham. About 3 Weeks before this Thing happen'd, *Burgefs* and his Wife took a Lodging of me in *May-Fair*. On the 23d of Dec. I saw them both go up Stairs. *Burgefs* had a Bundle upon his Back, and I gave his Wife a Candle to light him up, and when he came down

again he had no Bundle at all, only the Candle in his Hand, and the Key of the Room upon his Finger.

Elizabeth Young. On the 23d of Dec. the Woman Prisoner brought a Gown, a Petticoat, and a Ring to me and desir'd to have Money upon them. I ask'd her if they were her own? she told me they were, upon which I lent her 1 l. 15 s. upon them. She did not come in her own Name, but in the Name of *Mary Elderfon*, and I am sure she is the Person.

Pris. Burgefs. Did you ask me if they were my own?

Young. Yes, I did.

Thomas Painter. I happen'd to be in the Neighbourhood where my Brother *Simmonds* lives, and being inform'd he had been robb'd, I went to him, and we agreed to draw up an Advertisement, and go to *Goldsmith's Hall*. On *Christmas-Day* this Ring was produc'd, upon which we went to Mrs. *Manners* and were told by her Maid that she should know the Woman Prisoner again. Upon this we agreed, that as my Neice was pretty well acquainted with the Prisoner, she and *Manners's* Maid should go together to see if she knew her. When they came there, she said she would swear to her, and then we went up Stairs, and took them out of Bed, and carry'd them before the Justice, where the Woman Prisoner confessed the Robbery in the same manner as has been told before. We took the Man to *St. Ann's Round-house*, and just as we were going away, his Wife (*Lumley*) said, *Burgefs! you have got the Key!* and he said, *I have it not:* but the Constable telling him that he had got it in his Side Pocket, he gave the Key directly to his Wife. After we had secured him, we took a couple of Coaches and went away, and found all the Things that are in this Sack.

Thomas Painter, jun. was present when the Prisoners were apprehended, and heard some Part of *Lumley's* Confession before the Justice. He confirm'd the above Depositions, so far as they related to the Goods found at the Prisoner's Lodgings in *May-Fair*.

Lumley's Defence. This Man (*Burgefs*) is innocent of the Matter. My two Cousins din'd at our House that Day the Robbery was committed, and when he came Home he was drunk. We were going to the *Fleet* to see Mr. *Jones*, and he came along with us as far as *St. Andrew's Church*, and then he would go no farther, but took hold of me, and said I should go back with him into *Newport Market*. Accordingly I did,

and he laid down on the Bed for a Quarter of an Hour, and then went out. My Cousin charg'd me that very Night to come to their House, and when I came there, the Street Door was open, and in I went, and took these Things. I hired a Man in *Plumbtree Court* to carry them to *May-Fair*, and was to give him 6 d. for his Trouble; and in *May Fair* I found this Man (*Burgefs*) and he carry'd them Home for me, and I concealed several of the Things under my own Cloaths because he should not see them.

William Smith, John Milson, William Burgefs, Thomas Pringley, Jonathan Freer, and Benjamin Story, gave *Burgefs* the Character of an honest Man.

John Barber, Gerard Bowyer, Michael Capgny, George Wright, Thomas Randal, William Farrit, and William Armstrong, had known *Lumley* different Numbers of Years, and never heard but that she was an honest Woman.

The Jury found both the Prisoners Guilty, and earnestly desired that *Lumley* might be recommended to his Majesty as an Object of Mercy.

16. *John Broadbridge*, was indicted for ripping (after the 24th of June, 1731.) 56 lb. of Lead fix'd to the House of *Jacob Hannam*, with Intent to steal the same, Dec. 21. Acquitted.

17. *John Vincent*, was indicted for stealing 10 China Cups and Saucers, value 3 s. the Goods of *Frederick Stanton* and *William Thorne*, Dec. 11. Guilty.

18. *Mathew Bently*, was indicted for stealing 6 Quarts of Train Oyl, value 6 s. the Property of *Samuel Stawks*, Jan. 1. Guilty.

19. *Joseph Pig* of *Harmonsworth*, was indicted for stealing 2 Weather Sheep, value 30 s. the Property of *Isaac Singer*, Jan. 9.

George Kent. I was present when the Skins of two of my Master's Sheep were found in the Prisoner's House. I knew they were his Skins, because they were marked with R. S. and that is what he always marks his Sheep with. We secur'd the Prisoner and one *Chance*, and carry'd them before Sir *Thomas Reynell*, but I can't say that he either own'd or denied it in my Hearing.

Isaac Singer. I lost two Weather Sheep last Friday was se'nnight at Night, and my Shepherd informing me that he suspected *Joseph Pig* to be concerned in stealing them, I got a Warrant, and search'd the Widow *Souch's* House. The Prisoner was there when we first went in, but before we had finish'd our Search he went off. We follow'd him, and he just put a Bottle of Beer into

his own House, and ran off as fast as he could. We went into the House, and in the Closet we found some Tallow: After that we went up Stairs, and look'd about a little in the Bed-chamber; and in the Chimney there was something cover'd up with Sort of a Rug, which I pull'd away and then saw my two Sheep-skins lie there; they were mark'd with R. S. on the Hind Leg. Under the Skins I saw the Guts, and afterwards I found the Carcase of one of my Sheep wrapp'd up in a Cloth, and another cut into Quarters. The next Day which was Sunday, I got 5 or 6 Men to assist me, and we went in Pursuit of the Prisoners. We had not got above 3 Miles from his House before we met him, and after we had secured him, we went to a bad House, to see for *Jeremiah Chance*, and took him likewise, we then deliver'd them into the Custody of a Constable, and next Morning they were carried before Sir *Tho. Reynell* who committed one to *Newgate*, and the other to *New Prison*.

Pris. Was I at Home when you came to my House?

Singer. You was at the *Anchor* at first, and I saw you run away from thence.

James Tillier. I am Shepherd to Mr. *Singer*, and about half an Hour after Four in the Afternoon, I saw the Prisoner, *Chance* and another go by my Fold, and the next Morning I miss'd two Sheep. I inform'd my Master I suspected the Prisoner, and he told me he would have a Warrant to search, but I was not present when they went to *Pig's* House.

Q. How came you to suspect that *Pig* had any Intention to steal your Sheep?

Tillier. Because he was a Man that had but a very baddish Character.

Jeremiah Chance. The Prisoner and one *Carpenter* ask'd me to go out with them, and when we came a little way, they told me they were going to break open a wholesale Shop at *Harlingston*; but meeting *Pig's* Mother by the way, we were forc'd to seporate, and he went Home with her. About ten the same Night we went from *Pig's* House with a Sack in order to break open this Shop; but being disappointed in that and some other Designs, we were not willing to go Home without something, and at last we agreed to have a couple of Sheep out of a Fold that we had gone past that Afternoon. *Pig* caught one and put it into the Sack, and I caught another and tied the Legs of it, and then we carried them both to Mr. *Pig's* House. The next Morning we flead the Sheep, and then I sent him out for some Bread and Beer, and when he came back again, he told his

his Wife some Men were coming to search; upon which I put the Sheep into a little Closet; the Guts and the Skins I put into the Chimney, and cover'd them with a Rug, after which I walk'd out pretty leisurely, 'till I got some distance from the House, and then I began to run. I had not gone far before I met with *Pig*, and we agreed to cross the *Thames*, and make our Escape to *East-Ham*: Accordingly we went to one *Will. Clement's* at *Slugg's-Hill*, and after we had been there some time the Prisoner was taken.

The Prisoner having nothing to offer in his Defence, the Jury found him Guilty, Death.

20. *Jeffe Malden*, of *St. Mary White-chapel*, was indicted for breaking and entering the dwelling House of *Thomas Law*, about 2. at Night, and stealing a brass Stewpan, val. 2 s. 2 brals Sauce-pans, val. 2 s. a pair of leather Shoes, val. 4 s. a camblet-Cloak, val. 6d, the Goods of the said *Thomas Law*, December 13.

Thomas Law. On the 13th, of December, my Doors were bolted between 9 and 10 in the Evening, and then I went to Bed. I got up about 6 the next Morning, and found my outer and inner Doors both open, and miss'd the Goods mention'd in the Indictment out of my House.

Q. How came you to suspect the Prisoner?

Law. This Man *Joseph Davis* brought me a pair of new Shoes that I lost, and told me he was concern'd with the Prisoner in robbing me.

Prisf. I desire he may be ask'd, whether any Body lay in the Apartment that was broke open?

Law. It is a Place that is inclosed with Windows and Shutters in the Night-time.

Q. Is there any Communication between your House and this Place?

Law. Yes, there is a small Passage that leads from that to my House.

Q. Do you dress your Victuals in this Place?

Law. Yes, and upon Occasion I can lye there as well as any where: I never eat any Victuals but in that Place.

Prisf. How far is it from your Dwelling Apartment?

Law. As far as it is from hence to the Bench.

Prisf. Have a great Caution for my Life is at Stake.

Law. I don't think it is a Yard over or under.

Prisf. Ask him if the Thief-catchers never prompted him to say his House was broke open for the sake of the Reward.

Law. No, they did not.

Joseph Davis. The Prisoner and I had been

several Times to break open this Man's Apartment, but the Moon shining so bright, we were afraid to do it. On the 13th of December, we both went to a Brandy-shop, the Corner of *Gravel-lane*, and got almost fuddled, and then, we resolved to do it. I help'd him over the Wall, and then he open'd the Back-gate to me that leads into *Bell-Alley*, and as soon as I came in, he broke open the Place, and we took away a Stew-pan, 2 Sauce-pans, a Pair of new Shoes, a Pewter Dish, and a Cloak and Riding hood.

Prisoner. He says there was a Riding-hood and Cloak, and the Prosecutor deposes only a Cloak.

Davis. There was a long Cloak and a Head upon it.

Law. I lost the Head of a Riding-hood with the Cloak, but they were not fasten'd together.

Prisoner to *Davis*. Did I see the Shoes.

Davis. He gave them into my Hands, and I delivered the same Shoes to the Prosecutor.

Guilty Death.

21. *John Thompson*, of *St. George, Middlesex*, Victualler, was indicted for that he not having God before his Eyes, &c. on the 16th of December, on *Mary Grayling*, an Infant about the Age of nine Years, in the Peace, &c. feloniously, &c. did make an Assault, and did endeavour and attempt carnally to know and abuse, and, &c. did most grievously lacerate and abuse, &c. of which Laceration she languished from the said 16th of December, to the 2d of January, and then died.

He was a second Time charg'd by Vertue of the Coroner's Inquisition for the said Murder.

And a third Time for ravishing *Mary Grayling*, against the Form of the Statute, &c.

Mr. Cowling, Surgeon and Man-Midwife, inspected the Body of the Child a Week after its Death, and gave a particular Account of the Condition in which he found it, and it was his Opinion, that after she had received so great an Injury, it was impossible she could live.

Several Witnesses were produced to give an Account of the Child's Declarations *in extremis*, but it being the Opinion of the Court that the Child was not of competent Years to make such Declaration, and there being no other Evidence offered in Support of the Indictment, the Prisoner was acquitted.

22. *Matthew Simpson*, was indicted for stealing a Marble Table, Value 20 s. the Goods of *John Bosworth*, Esq; *Edward Dod*, and *John Miller*, Dec. 11.

He

He was a second Time indicted for unlawfully flipping and stealing a Copper fixed to a Houle in the Possession of *John Bosworth, Esq; Edward Dod, and John Miller, Dec. 11. Guilty.*

23, 24. *Ann Day, and Elizabeth Price,* were indicted for stealing a Brass Pot with a Cover, a Brass Ladle, a Copper Tea kettle, and several other Things, the Goods of *Richard Brown, Dec. 10th. Both Guilty 10 d.*

25. *Thomas Price,* was indicted for stealing a Leg of Mutton, Value 2 s. the Goods of *Wm. Wright, Dec. 26th. Guilty 10 d.*

26. *Sarah Bent,* was indicted for stealing 20 Pounds Weight of Juniper Berries, value 12 d. the Goods of *Elizabeth Holmes, December 9th, Guilty 10 d.*

27. *Benjamin Low,* was indicted for stealing a Pair of leather Shoes, Value 9 d. the Goods of *William Tinney, Dec. 19. Guilty.*

28. *Samuel Phillips,* was indicted for stealing 16 Pounds of Sugar, Value 3 s. the Goods of *Samuel Turner, and Thomas Martin, Jan. 15th Guilty 10 d.*

29. *John Winds,* was indicted for stealing 80 lb. of Iron Bars, Value 5 s. the Goods of *Wm. Tipper, Jan. 2. Guilty.*

30. *Christopher Jordan, of St. Luke's, Middlesex,* was indicted for assaulting *Thomas Colt,* in a certain Court call'd *Hartshorn court,* near the King's Highway, putting him in Fear, and taking from him a Hat, Value 7 s. a Peruke, Value 8 s. a Guinea and 4 s. in Money, *Jan. 12.*

Thomas Colt. Last Monday was sevensnight, at almost Twelve at Night, I met the Prisoner in *Long-lane.* He was asking Charity, and begg'd for God's Sake that I would relieve him. I told him it was not in my Power to relieve him, but I was going to the *Red-lion* in *Aldersgate street,* and if he would accept of Part of a Tankard of Beer, he should be welcome. We went into the *Golden-horse* Alehouse, and called for Beer, and when we were coming out, I told him, I was as destitute of a Lodging as he; upon which he said, he could help me to one. He then took me up *Barbican* into *Golden-Lane,* and then into *Hartshorn - Court,* where he said, he had got a Sweetheart, and he would make her get up, and I should go to Bed. I did not like the Looks of the House, therefore would not go in; and he then shewed me another Place, where there was a Light; but I did not care to go in there neither, and so I determined to go to my own Lodging; and just as I came back to the House where he

would have had me gone in first, he knock'd me down; I can't tell whether it was with his Fist or a Weapon, but my Face was very black. When he had got me down, he took off my Hat and Wig, and a Guinea in Gold, 4 s. in Silver, and a silk Handkerchief out of my Pocket. As soon as I recovered myself, I ran down some Alleys and call'd *Watch!* and I told the Watchman I had been robb'd, and that I believed the Prisoner was gone down some of those Alleys, but not being able to find him, I went to the Watch-house, and shewed the Beadle the Place where I was robb'd. I afterwards went with one of the Watchmen to the *Golden-Horse* to see if they knew the Prisoner, but they denied that they knew any Thing of him, upon which I went back to the Watch-house, and after I had got a Handkerchief to tie about my Head, I went Home. The next Morning about ten o'Clock, the Watchmen came to my Lodging, and inform'd me they had found a Wig, and when I saw it, I knew it to be mine. They said, they would go to a Place where they suspected the Prisoner was, and would help me to the sight of him. Accordingly they went into a House, and I follow'd them, but the Place was so dark, that I came out again; and one of the Watchmen told me, the Person whom they suspected was there, and he was going to a Cook's Shop, and if I would set down on the Bench, I might have a full View of him. Presently he came out, and as soon as I saw his Face, I knew him to be the Man that robbed me. We went back to the Watch-house, and three Men were dispatch'd to take him, and when he was brought into the Room, he immediately came up to me, fell on his Knees, and desired me not to prosecute him, for so sure as I did, he should be hang'd; and this he repeated several Times.

Pris. Is he sure I am the Man?

Colt. Yes, I am certain of it.

Pris. Where did you light on me first?

Colt. In *Long-Lane.*

Pris. Where did you carry me to?

Colt. To the *Golden-Horse.*

Pris. What did you give me there?

Colt. Some Drink.

Pris. Who was in Company?

Colt. A great many Hackney Coachmen and some other People.

C. Was it light enough for you to see the Prisoner's Face?

Colt. Yes.

C. Was you Sober ?

Colt. Yes, as sober as I am now.

John Austen. I am a Watchman in the Liberty of Golden-Lane. Last Tuesday Morning at Two o'Clock, I was beating my Rounds in *Hartsborn-Court*, and heard a Man call *Watch!* Just by the Pump I saw the Prosecutor; he had a Blow on the Right Side of his Face, and he told me he had been knock'd down and robb'd. I bid him come along with me and I'd see if I could find the Prisoner. We went down some Alleys to no Purpose and then the Prosecutor went to the Watch-house, and we parted. When the Prisoner was taken and brought to the Watch-house, he fell on his Knees once or twice, and begg'd of the Prosecutor not to send him to Goal, for if he did, he was sure to be hang'd. He likewise did the same when he was before Justice *Poulson*,

Charles Hunt. About 2 o'Clock last Tuesday Morning, this *Thomas Colt* came down to the Watch-house, and desir'd to come in. I was standing at the Door, and seeing him without either Hat or Wig, imagin'd he had been in a Quarrel, therefore refus'd to let him come in. The Beadle order'd him in, and he then describ'd the Person that had robb'd him, and the Place where he was carry'd to. I told him I would shew him the Person in the Morning, and accordingly I went into a Gin-shop in *Hartsborn-Court* by myself, and called for a Quartern, and I immediately saw the Person whom I suspected: That was this Man, *Christopher Jordan*. I told *Colt* that the Prisoner was coming out, and as soon as he saw him, he said, *that is the very Man that robb'd me, but he has not got the same Cloaths on.* We went down to the Watch-House, and told the Beadle of this, upon which he desired the Prosecutor not to take the Man up if he was not sure he was the Person, but he still insisted that he was the Man, and he should know him from ten Thousand. We then went, and apprehended of him, and brought him to the Watch-House, and he directly went up to the Prosecutor, and said, *for God's Sake don't prosecute me, for I shall be hang'd.*

Henry Thompson. I went with *Charles Hunt* to take this Man out of the Ginshop, and when we brought him to the Watch-house, he fell on his Knees before the Prosecutor, and said if he was sent to Goal, he should certainly be hang'd.

William Whistler. I went into the Watch-house at Dinner time with a Pint of Beer according to Custom, and the Prosecutor desir'd me to go with the Watchmen to take *Christopher Jordan*, and

with some Persuasions I consented. *Hunt* went in first, and *Thompson* and I follow'd, and we brought the Prisoner to the Watch-house. As soon as he came in, he went up to the Prosecutor who sat facing the Door; and the Beadle asked him whether he knew the Prisoner? He reply'd he did, and that he was the Man that robb'd him: The Prisoner then said, *for God's Sake, don't send me to Newgate; don't swear against me, for if you do, so sure shall I be hang'd;* and this he repeated three or four Times.

—Dyer. I was charged to assist the Constable, and when the Prisoner was before Justice *Poulson*, he fell on his Knees and desired *Colt* not to prosecute him, for if he swore against him, he should be hang'd,

Defence. I have 2 or 3 Coachmen here that were in the Box drinking with the Prosecutor.

George Hodges. I live next Door to the Prisoner: Last Monday was 7-night, at Night, my Mistress desired the Prisoner to let me lie with him, and as I was going to Bed the Prisoner desired me to stay and sup with him; accordingly I did, and before twelve o'Clock, the Prisoner and all of us were a-bed.

Q How do you remember that Day?

Hodges. Because the Prisoner was taken up next Morning.

Q What Business do you follow?

Hodges. I am a Frame Maker by Trade, but now Business is dead, I run on Errands.

Q What House is this in *Hartsborn-Court*?

Hodges. It is a sort of a Brandy-shop kept by one Mrs. Bagley.

Timothy Beversley. I have nothing to say on Account of the Prisoner, only this, that he is not the Person that came into the *Golden-Horse* Alehouse with the Prosecutor, last Monday 7-night at Night.

Q How do you know that?

Beverley. Because I let them in, and took particular Notice of them.

Q What Time of Night was the Prosecutor there?

Beverley. He came in about Twelve, and staid a Quarter of an Hour.

Q How came you to be there at that Time of Night.

Beverley. I assisted the People of the House, because it was Club Night, and the Gentleman of the House was angry, because I let Strangers in.

Q How can you take on you to say the Prisoner is not the Man, that came in with the Prosecutor.

D

Beverley

Beverley. Because when I went on *Saturday* to see the Prisoner I found him quite otherwise; the other Man was a little short-siz'd Man, of a dark Complection, and pretty much pock-broken.

George Harrison. I live in the lower Room under the Prisoner: There was a Sort of a Bit of a Supper that Night, and the Prisoner went up to Bed between Twelve and One, and the Door was bolted. I sat by the Fire-side when the Scuffle of the Robbery was done, and I heard some-body cry, *Aye Boy!* I can't tell who it was; presently one ran up the Alley, and then the Watchman came almost *Two*. I heard a Man call *Watch!* and the Watchman cried, *Aye Boy! What's the matter now?* My Wife went out at Three o'Clock to visit a Woman who was dying; and I went down and bolted the Door after her and no-body went out afterwards.

Thomas Bradford. This Man at the Bar is not the Person that came into the *Golden Horse* with the Man that was robb'd; I know it very well because I was there when they came in at 12 o'Clock.

Q. How came you to be there?

Bradford. I am a Coachman and live in the Neighbourhood.

Q. What sort of a Man was the Person that you say came in with the Prosecutor?

Bradford. A thin, squat Man, fresh-colour'd in his Face, with a brownish Coat on.

Q. Did you drink with them?

Bradford. No, but I was in the Box fronting them, and they had a pint of Two-penny Purl.

Thomas Woodcroft. I was at Dinner at the *Black-Horse* in *Golden-Lane* at the same Time that the Prisoner was taken up. The Prosecutor said the Prisoner had pick'd him up in *Long-Lane*, and took him to the *Golden Horse* in *Aldersgate-street* and treated him with a Pint of Two-penny Purl, after which he knock'd him down and robb'd him under Pretence of getting him a Lodging: I hearing this went to the House, and asked them what Sort of a Man was there last Night: They told me he was a swarthy Man, thin visag'd, and with brown Cloaths on. I desired them to go down to *New-Prison* to see the Prisoner, and Mr. *Bradford* and some others went, and said he was not the Man.

John Gearing. I have known the Prisoner about 16 Years: We work'd together as Wheel-boys in the Gold and Silver Way, I never heard but that he was an honest Fellow.

Elizabeth Morson. I have known him from a Child, and liv'd in the House with him 10 Years. He used to go on Errands, and cry Fish about

the Streets, and I never knew him guilty of an ill Thing; but I have not seen him much these 6 Years.

Elizabeth Harding. The Prisoner lived in my House 6 Years, and about 12 Months ago he worked with my Husband at some Houses in *Cold Bath Fields*. I have entrusted him all over my House when I had more than I have now, and never knew that he wrong'd me of any Thing.

Rebecca Warner. I have known him ten Years, and never heard any ill of him in my Life. I liv'd in the Neighbourhood where his Mother lives, in *Featherstone-street* by *Moorfields*; he used to cry Fish about the Streets, and I have seen him almost every Day.—I am out of Place at present; the last Place I lived at was Mr. *Hinton's*, Cashier to the Bank.

Q. Are you any Relation to the Prisoner?

Warner. No, only a very great Acquaintance. Guilty, Death.

31. *Mary Stot* alias *Maller*, was indicted for stealing 6 Holland Shirts, and 2 Holland Night Caps, the Goods of *Matthew Raper*, Esq; and a Linnen Shirt, the Goods of *William Adams*, Dec. 24. Guilty.

32. *Mary Summonds*, was indicted for stealing a Holland Shirt, a Linnen Shirt, a Cambridge Apron, a Common Prayer-Book, and a Bible, the Goods of *James Grape*. Guilty.

33. *Zachariah Retherwood*, was indicted for stealing 6 Iron Barrs, value 18*d.* the Goods of *Richard Hagar*, Jan. 6. Acquitted.

34. *John Low*, was indicted for stealing a Hat, a pair of Leather Pumps, 2 Woollen Blankets, 3 pair of Worsted Stockings, and a pair of Silver Buckles, the Goods of *Andrew Brown*, and 2 Blankets and 3 Shirts, the Goods of *Robert Johnson*, in his Dwelling-house, Jan. 6. Guilty, 39*s.*

35. *Joseph Wink*, was indicted for stealing 107 Red Herrings, value 3*s.* the Goods of *Joseph Payton*, Dec. 15. Guilty 10*d.*

36. *Elizabeth Domel*, was indicted for stealing a Bolster, a Linnen Napkin, and 2 Towels, the Goods of *Isaac Crawley*, Dec. 1. Acquitted.

37. *Richard Pilgrim*, was indicted for stealing 2 Brass Pottage Pots, value 40*s.* the Goods of *William Cooper*, Jan. 13. Guilty.

38, 39. *Mary Thompson* and *Elizabeth Mary Shambler*, were indicted for breaking and entering the Dwelling-House of *Thomas Cartwright*, Esq; about 12 at Night, and stealing 2

Silk Gowns, a Silk Petticoat, and several other Things, the Goods of the said *Thomas Cartwright*, Esq; a Callamanco quilted Coat, 6 Mobs, a Straw Hat, a pair of Stuff Damask Shoes, and a pair of Silk Stockings, the Goods of *Alice Bass*, and a Callamanco Coat, the Goods of *Mary Phillips*, Dec. 8. *Shambler* guilty Felony only; *Thompson* Acquitted.

40. *William Wells*, was indicted for stealing a Silver lac'd Hat, value 8s. and a pair of Men's Shoes, value 2s. the Goods of *Thomas Griffith*, Jan. 5. Guilty.

41. *Brior Green*, was indicted for willful and corrupt Perjury.

It was observ'd by the Council for the Prosecution, that the Indictment set forth, that before the issuing of the Commission of Bankrupt, the Defendant was a *Brasier*, and got his Living by buying and selling in that Trade, and was indebted to one *Jean Brisfort*, the Sum of one hundred Pounds and upwards, for Goods sold and delivered: That after the Defendant was so indebted, he became a Bankrupt in the true Intent and Meaning of the Statute; and upon the Petition of the said *Jean Brisfort*, on the 15th of Nov. in the 14th Year of his Majesty's Reign, a Commission of Bankrupt issued out, directed to *Roger Coningsby*, Esq; and others; and that it directed that they should proceed to put that Commission in Execution. Accordingly they (having taken the Oaths according to the Statute) declar'd the Defendant a Bankrupt, within the true Intent and Meaning of the Act. That on the 18th of Nov. they caused a public Notice to be published in the *London Gazette*, whereby the Defendant was required to surrender himself on the 24th of Nov. (then) Instant, and on the first and thirtieth of Dec. following: That accordingly he did surrender himself, and submitted to be examin'd on Oath; and that in the Course of the Proceedings in Order to make a Discovery, the Defendant took his Corporal Oath on the 17th of February, 1740: that at this Time a Paper Writing mark'd with the Letter D, and three Books mark'd with the Letters A, B, and C, and 2 other Papers mark'd with the Letters E and F, were shewn to him, and he swore as follows; that the Paper Writing mark'd D; that the several Books mark'd A, B, and C, and the Paper Writings mark'd E and F, did contain a full Disclosure of all his Effects, and upon what Consideration he had disposed of any of his Goods,

Merchandise, or other Effects, and all Books and Writings relating thereto, or in which he was any Way interested; or whereby he might have any Profit; except only such Part of his Effects as had been before disposed of; and such Sums of Money as had been laid out in Expences; and that he likewise swore, that at the Time of his Examination he delivered up to the major Part of the Commissioners all Books, Papers, and Writings relating thereto as were in his Custody or Power, his necessary wearing Apparel excepted; and that he had not removed, concealed or embezzled any Part of his Effects with Intent to defraud his Creditors: Whereas in Truth and in Fact, the Defendant had concealed one Copper with the Iron-work thereto belonging, not mention'd in any of the Paper Writings; and whereas in Truth and in Fact he had concealed 2 Stove Grates, no Account of which was mentioned, &c. and whereas he had concealed a Shop Book of Accompts belonging to his Shop in *Moorfields*, and which was not contained in any of the Books or Papers mark'd as above; and whereas he had conceal'd 6 dozen Flower Boxes of the Value of 10 l. odd Money, no Account of which was mentioned in any of the Books, &c. &c.

It was farther urg'd by the Council on the same Side, that although the Articles with which the Defendant stood charg'd might seem to be but inconsiderable, yet that where some Things were conceal'd, there was great Reason to apprehend that others had been conceal'd; and that a Man who would be guilty of Perjury in one Instance would in others: That it appeared from the Face of the Indictment that the Prisoner stood charg'd with 4 Instances of Perjury; and that if one of them should be prov'd, that would be sufficient to convict the Defendant. That although he had taken a general Oath to reveal all his Effects according to Act of Parliament, yet notwithstanding that he was actually possess'd of a Copper of which he made no mention at all in his Account deliver'd to the Commissioners; likewise 2 Stove Grates, and a Shop Book, which would appear to be very material; and besides these he had conceal'd a large quantity of Brafiery Goods:

That Crimes of this Sort ought not to be aggravated, being exceeding heinous in their own Nature, for if People would take those Liberties to forswear themselves, there would be an End
of

of Justice, and there could be no Security of Men's Lives or Properties, &c.

John Cardel. I know *Prior Green* very well; he is a Brasier.

Counc. How long have you known him follow that Trade?

Cardel. These eight or ten Years.

Counc. Did you know *John Brifort*?

Cardel. Yes, he dealt with my Master, Mr. *Green* for French Plate.

Counc. Was your Master indebted to him for French Plate?

Cardel. Yes, I know of above 100 Pounds and upwards that I have receiv'd and enter'd into Mr. *Brifort*'s Books, and I knew Mr. *Green* ow'd him above 100 l.

Counc. When were these Goods bought of *Brifort*?

Cardel. In the Year forty, between March and November.

Counc. Do you know any Thing of *Green*'s denying himself to his Creditors?

Cardel. I myself have denied him by his own Orders.

Counc. Do you remember the Persons Names to whom you have denied him?

Cardel. To Mr. *Giles*, one of the present Assignees, and to one *Waters*, a Baker.

Counc. I ask you whether you denied him by his own Orders, or out of your own Head?

Cardel. He desired me not to let him be troubled with these People half a Year before the Commission came out.

Counc. What did those Persons that you denied him to, come for?

Cardel. For Money; I can't say any of them asked me for Money, but I knew they were Creditors: By one Person I was ask'd for Money, and I judg'd them all to come a dunning for Money, for I had seen them several Times before on the same Errand.

Pris. What Sum did the Creditors ask for?

Cardel. They did not ask for any particular Sum: Mr. *Giles*'s Servant asked me several Times whether there was any Money in the House.

Counc. Were there any other Creditors that came to ask for him?

Cardel. Yes, there was a Brewer at Hackney, and his Clerk, and several others, whose Names I forget.

Mr. Wm. Goulder. I was Secretary to this Commission.

Counc. Do you know that the Persons mentioned in it acted as Commissioners, and took the Oath?

Mr. Goulder. Yes, I was present and saw them take the Oath.

Counc. Def. Shew me that they were Commissioners.

Mr. Goulder. The three Commissioners that met the first Day, were Mr. *Coningsby*, Mr. *Melmot*, and Mr. *Salkeld*, and they were sworn before they proceeded to act.

Counc. Def. What did they swear?

Mr. Goulder. They administer'd the usual Oath.

Counc. Def. Did you hear the Oath.

Mr. Goulder. Yes, but I don't remember the particular Words.

Counc. Def. Was it read nr spoken?

Mr. Goulder. Spoken.

Mr. Wm. Melmot. I was one of the acting Commissioners, and we took the Oath according to Act of Parliament: I think the Words were, "I do swear, that I will faithfully and impartially execute the Trust reposed in me, and that without Favour, Affection, Prejudice or Malice, so help me God."

Q. Do you verily believe that these Words were repeated to the Commissioners?

Mr. Melmot. Yes.

Counc. Def. Can you say that they repeated these Words?

Mr. Melmot. If they had not repeated right, I would have interrupted them.

Council Def. On your Oath, are you certain that the same Oath was administered to the others?

Mr. Melmot. I can't be so certain to that as to a Thing that is recent in my Memory; We repeated the Oath each of us ourselves, and I do verily believe they repeated it.

Mr. Goulder again. Mr. *Coningsby*, Mr. *Melmot*, and Mr. *Salkeld* met on the 15th of Nov. 1740. at the *Crown and Rolls Tavern* in *Charcery-Lane*, and then declared the Prisoner a Bankrupt.

Counc. Do you know the Prisoner?

Mr. Goulder. Yes, and he is the same Person that was examined afterwards at *Guild hall*?

Counc.

Counc. Defend. to Cardel. Did not the Defendant appear publickly in his Shop, and carry on his Trade after he directed you to deny him?

Cardel. Yes.

Counc. Defend. Were there not some particular Reasons for denying him, such as Sickness, or particular Business?

Cardel. He had no Business but to lie a Bed, and I never knew him to have a Fit of Sickness: He desired me not to trouble him again with such sort of People.

The Commission for declaring the Prisoner a Bankrupt was read.

Counc. We shall now produce the Advertisement wherein the Defendant was required to surrender himself to the Commissioners: What Paper is that in your Hand, Sir?

Mr. Goulder. The *London Gazette*.

Counc. How long have you had it in your Custody?

Mr. Goulder. From the Day after its Publication to this Time.

Counc. What Date does it bear?

Mr. Goulder. The 18th of November: This is the Advertisement relating to *Prior Green*.

The Advertisement was read, and it not agreeing exactly with the Indictment, the Defendant was acquitted.

42. *Charles Corner*, of *St. Catherines*, was indicted, for that he, after the 24th of June, 1736, feloniously forged, &c. a certain Paper Writing, partly printed, and partly written, with the counterfeit Mark of *Stephen Huggins*, purporting to be a Bill of Sale, which said Bill of Sale is in these Words following, viz.

"To all to whom these Presents shall come, I
 "*Stephen Huggins*, Mariner, late belonging to
 "his Majesty's Ship *Prince Frederick*, send Greeting. Know ye, that I *Stephen Huggins*, for,
 "and in Consideration of the Sum of 24 Pounds,
 "to me in Hand paid, at, and before the enseal-
 "ing and delivery hereof, by *Anthony Underwood*,
 "of the Precinct of *St. Catherines*, Victualler;
 "do hereby acknowledge myself to be therewith
 "fully paid and satisfy'd; and do by these Pre-
 "sents alien and assign to the said *Anthony Under-*
 "*wood*, a Ticket for my Service done, and per-
 "formed on board his Majesty's Ship the *Prince*
 "*Frederick*, and Number on the Books 572, a-

"mounting to the Sum of 24 Pounds, &c. &c.
 "Witness my Hand and Seal, the 26th Day of
 "Nov. &c. and in the 15th Year of the Reign
 "of our Sovereign Lord *George*, of Great-Britain,
 "&c. &c.

"The Mark of

†
 "*Stephen Huggins*."

With Intent to defraud our Sovereign Lord the King, &c.

The Indictment charg'd the Prisoner a second Time with publishing the said Bill of Sale, knowing it to be forg'd.

A third Time for Forging it with Intent to defraud *Stephen Huggins*; and a fourth Time for uttering and publishing it, knowing it to be Forg'd.

Anthony Underwood. On the 26th of Nov. last, the Prisoner came to me in the Name of *Stephen Huggins*, to dispose of a Man of War's Ticker. I agreed to give him 17 l. for it, and a Writing was executed, and he then said his Name was *Stephen Huggins*, and made his Mark. I asked him if he could not write? and he said No. I went with him to the *Ship and Horseshoe*, and to the *Sugar Loaf and Punch Bowl*, and afterwards went Home and gave him the Money. When this was done, the Prisoner seem'd to be uneasy, and went away; and I clapp'd the Ticker upon the Table, and then I found I had paid him 10 l. too much. I then went to several Places in Pursuit of the Prisoner, and sometime afterwards with much Difficulty I met with him, and carry'd him before Justice *Jones*, before whom he acknowledged that his Name was *Charles Corner*. This is the Ticker; it is such as Commanders of Ships give Seamen, and is what we call the King's Bond. The Prisoner offered it to me, and I saw him set his Mark to the Bill of Sale by the Name of *Stephen Huggins*.

Pris. Q. How much did you insist upon as a Premium for this Money?

Underwood. Four Shillings and Sixpence in the Pound.

Pris. Q. Did not you insist upon 6s?

Underwood. No, I paid him 10 l. odd Money too much, and the Ship is quite new, and will not be at Home these 3 Years.

John Gray. I was a subscribing Witness to this

this Bill of Sale, and I saw the Prisoner make this Mark in the Name of *Stephen Huggins*. He said the Ticker was his own, and he had earned it himself.

Q. to Underwood. Did you receive the Ticket at the same Time that he executed this?

Underwood. Yes.

The Bill of Sale was read:

John Ferois. I saw Mr. Underwood pay the Prisoner 17 l. for the Ticket, and I heard him say his Name was *Stephen Huggins*.

Counc. Did he sign the Bill of Sale, or make his Mark?

Ferois. He made his Mark, and said he could neither write or read,

The Ticket was read.

Prisoner. I belong to the *Marlborough India Man*, Capt. *Smith*. On the last Fast Day, about 2 o'Clock in the Afternoon, as near as I can guess, I was coming from the Ship, and by *Wellelose-Square*, I found five Farthings, a Form of Prayer, that Ticket and a Knife with a Seal at the Handle. I asked a Carman what it was, and he told me it was a Ticket; whereof I kept it till Thursday, and then it not being advertised, I carry'd it to Mr. Underwood. He was the Person that filled up the Bill of Sale, and bid me make my Mark; and Doctor Gray (as they call him) was concern'd in purchasing the Ticket.

Thomas Bolton. I have known the Prisoner 5 or 6 Years. Last Fast Day about half an Hour past 2 o'Clock, I met him in *Gravel Lane*, and he said he had found a Ticket, a clasp Knife, a Form of Prayer, and five Farthings in Money. He shew'd me the Ticket, and it appear'd to be worn and dirty, and he told me he picked it up in *Wellelose-Square*.

Sarah Starkey. I have known him this 20 Years; he was born of honest Parents, and it is to my very great Grief that I see him in this Place; but I have not known any Thing of him for these 8 or 10 Months.

Esther Squires. I have known him ever since he was born, and never knew him do any ill Thing, nor ever heard any ill of him till he was in *Newgate*.

Sarah Lemmon. I have known the Prisoner since last March, and never heard a bad Character of him.

Ann Whittingham. I am his Sister in Law, and his general Character is, that he always was an honest Man in all Cases that lay in his Power.

John Pulley. I have known him from a Child: I can't say much to his general Character one Way or other, for he has been out of our Neighbourhood some Time, but I never knew no ill of him.

Justice Jones. This is the Ticket that was produced before me when I committed the Prisoner, and I look upon it to be as good a Ticket as ever was made, for I have seen a great many of these Things, and have receiv'd a great deal of Money on them.

There not being proper Evidence to prove the Ticket to be a real Ticker, the Prisoner was acquitted.

43. *Ann Beck* alias *Hodges*, was indicted with the above *Charles Connor*, for stealing a Woollen Waistcoat, a Serge Waistcoat, a Linnen Handkerchief, a Tin Box, and 10 s. in Money, the Goods and Money of *Stephen Huggins*, Nov. 26. Both acquitted.

44. *George Laban*, was indicted for stealing 20 Guineas, the Money of *James Hambleton*, Esq; Dec. 24.

Mr. Hambleton. Within these 2 Months I have several Times missed Money out of my Pockets while I have been abed, and never could detect the Person that robb'd me, and therefore I was resolv'd to be patient till I could fix on somebody. I generally missed 2 Guineas every other Morning, therefore used to keep myself awake as long as I possibly could, not knowing at what Hour he might come in. On Thursday Morning the 24th of last Month, the Prisoner came into my Room: He came to the Bed Side to listen whether I was a sleep, and I breath'd hard as if I had been asleep. He then went from the Bed Side, upon which I raised myself up, and look'd through the Curtain, and I saw him take my Breeches off the Window, and go off with them into an opposite Chamber. I immediately got out of Bed, and look'd at him, and I saw my Breeches on the Chest. He had taken my Purse out of my Pocket, and I saw him take something out of the Purse and put into his own Pocket,

Pocket, and then he put the Purse into the Breeches in order I suppose to return them into my Chamber. I imagined that he had taken some Money, and I thought it was then a proper Time to go out and seize him, accordingly I went in upon him, and took him by the Collar. He was very much surprized, and while the Servants were in the Room, he denied that he knew any Thing of the Matter; but when they were withdrawn, he fell on his Knees and begg'd that I would not take away his Life. The Night before this I counted my Money when I went to Bed, and put 10 Guineas in my Purse, and when I examined it next Morning, there were but 8 remaining. When I went before Mr. Deveil, I desired to have a Search Warrant, and I sent for the Prisoner's Box. He then fell on his Knees and said he had taken but 10 Guineas, but I think we found in the Box 18 Guineas and some Silver, and 3 Guineas he had in his Pocket, all which he said was mine, and desired it might be given to me.

John Brown. I have known the Prisoner about 3 Quarters of a Year, and never heard any Thing against his Character before.

Henry Trotter. I have known him upwards of 3 Years: He lived with Mr. Drummond at *Charing Cross*, and then I believe he behaved well.

Michael Laban. I am his Brother, and have known him from his Infancy, and never heard but that he had an honest Character. Guilty.

45, 46. *Mary Thompson* and *Dorothy Francis*, were indicted for stealing 7 Yards 3 Quarters of Cambrick, value 3 l. the Goods of *Eleanor Foster*, Dec. 17. Both Acquitted.

47 *Mary Rice*, was indicted for stealing 2 Gold Rings set with Diamonds, 9 silver Tea Spoons, a japann'd Sugar Dish and Cover, a Crystal Seal set in Gold, a silver Box, a silver Sponge Box, a silver Thimble, a Pepper Box, and Reading Glafs, the Goods of *Elizabeth Bucknall*, Dec. 4. Guilty.

48 *Susannah* (the Wife of *Henry*) *Gray*, alias *Elizabeth* (the Wife of *Henry*) *Gray*, was indicted with divers other Persons unknown, for assaulting *Isaac Sugden*, in the House of *Henry Gray*, putting him in Fear, and taking from him a Moidore, a Guinea, a *French Crown*, value 4 s. and 4 s. in Money, Dec. 24th.

Isaac Sugden. Last *Christmas* Eve I was going thro' *Black Boy Alley*, in *Chick Lane*, and a Couple of Women laid hold of me, and ask'd me to give them a Dram. I said, I had no Money to spend, and could not stay, and then they took hold of

me, and said, they would give me one as it was Holyday Time. They push'd me in at *Henry Gray's Door*, ——— I can't justly say that the Prisoner was one of them that laid hold of me first, but she was in the Room when I came in. They call'd for a Dram and drank it, but did not give me any, upon which I told them my Business call'd me, and I must go. Then they said, if I would not have any more, I should pay for what had been call'd in, and they began to swear and threaten me, therefore I pulled out my Money to pay for it, and they seeing my Money, that Woman at the Bar laid hold of my Hand and took it from me. There were three Guineas in Gold, a Moidore, a *French Crown*, some Silver, and a few Halfpence; the whole I believe was about 5 l. 6 s. or thereabouts. The Prisoner wrench'd my Money out of my Hands, some of which she got, and the rest fell on the Floor, and I then cryed out *Murder!* upon which she called for a Knife, and swore she would stop my cackling presently. Seeing some of my Money on the Floor, I attempted to take it up, and then they sent to the Sign of the *Porto-Bello*, and six or seven Fellows came with Sticks, and began to beat me, and the Persons who came to my Assistance in a very violent Manner.

John Harrison. I can't say that I know the Prisoner, or that I ever saw her before.

John Duncomb. I am a Sawyer, and last *Christmas-Eve* about nine or ten o'Clock, I was coming through this Alley, and heard a Cry of Murder, but by whom I can't say. Mr. *Harrison* went into this House with me, and I don't know that I saw the Prisoner there, but one of the Women had a black Eye.

Q. Did you see the Prosecutors there?

Duncomb. Yes, and there were 2 or 3 Women, but I can't be certain that the Prisoner was one of them.

Phillis Moore. I was in the House when the Prisoner was taken up, which was on *Christmas-Eve*, and that Man in the white Coat and white Wig, (*Sugden*) came in with the Constable, and said he had lost so much Money, and right or wrong he would swear to the Prisoner. I was there when the Man came in first and the Prisoner was not then in the House, but came in a Quarter of an Hour afterwards. He might as well charged me as her. I did not see him pull out any Money, neither did I hear any Cry of Murder, but there was something of a Noise above Stairs, and then I went out.

Edward

Edward Lyon. I have known the Prisoner from a Child, and she always behav'd very honest and well: She liv'd a little while ago with a Gentleman in *Goswell-street*, who makes Black Puddings, and she came from thence with a very honest Character. Acquitted.

49. *Sarah Holmes*, was indicted for privately stealing 4 yards of linnen Lace, the Goods of *Henry Stanton*, in his Shop, Jan. 9th.

Guilty, 10d.

50. *Thomas Drevit*, was indicted for privately stealing a silver Watch, the Goods of *John Dalzel, jun.* in the House of *John Dalzel, sen.* Jan. 9th,

Guilty, 10d.

51, 52. *Thomas Pinks*, and *Stephen Jenkins*, were indicted with *Thomas Overton*, for stealing a piece of leaden Pipe, and 150 lbs. wt. of Lead, fix'd to a certain House belonging to *William Lord*; Nov. 26th,

All Guilty.

53. *Abigail Dickenson*, was indicted for stealing a large silver Spoon, and 2 silver Teaspoons, the Goods of *Susannah Dickenson*; Dec. 12th,

Guilty, 10d.

54. *Henry Atterbury*, was indicted for stealing (after the 24th, of June, 1731) 40 lbs. wt. of Lead, val. 3 s. belonging to *Sir John Robinson*, Barr. fix'd to *Sheffield-House*; December 20th,

Guilty.

55. *John Buchanan*, was indicted for stealing 10 Ounces of Silver, the Goods of Persons unknown; Dec. 10th,

Acquitted.

56. *William Tilly*, was indicted for stealing a piece of Coral set in Silver, val. 15 s. and 2 silver Salts, val. 49 s. the Goods of *Joseph Hurt*, Jan. 7th,

Mr. Hurt. I was abroad when the Affair happen'd, and when I came Home, there was a great Mob about my Door, and I was inform'd that the Prisoner had broke my Shew-glass. Upon that I examin'd the Shew-glass, and miss'd a Silver Coral, and a Pair of Silver Salts.

Edward Gilbert. I was coming by *Mr. Hurt's* Door, between 6 and 7 at Night, and saw the Prisoner's Hand in the Shew Glass. I saw him take out a Coral, upon which I laid hold of him, and he then flung the Coral away. I did not see any Salts, but he had the Coral in his Hand, and I saw him take it out of the Glass.

Prisoner. I was coming along and picked the Coral off the Ground. Guilty.

57. *B—— A——*, was indicted for stealing a Copper Tea Kettle, a Brass Candlestick, and a Pewter Tea pot, the Goods of *Thomas Deeming*, April 28. Acquitted.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 7.

Eleanor Brown, *Thomas Pinks*, *Stephen Jenkins*, *Margaret Lumley*, *Joseph Pig*, *Jesse Walden*, and *Christopher Jordan*.

To be WHIPPED, 5.

Sarah Bent, *Abigail Dickenson*, *Sarah Holmes*, *Thomas Drevit*, and *Tho. Price*.

TRANSPORTATION for 7 Years, 28.

Eleanor Morgan, *Thomas Friend*, *George Laban*, *Mary Rice*, *John Jenkins*, *William Brown*, *Moses Davis*, *John Vincent*, *Matthew Bentley*, *Mary Shambler*, *Matthew Simpson*, *Henry Atterbury*, *Geo. Lander*, *Ann Day*, *Elizabeth Price*, *Samuel Oldbury*, *Benjamin Low*, *Samuel Phillips*, *John Hinds*, *Wm. Wells*, *Wm. Tilly*, *Tho. Overton*, *Joseph Vink*, *John Low*, *Henry Albut*, *Daniel Redrup*, *Mary Simmonds*, and *Mary Scot*.

TRANSPORTATION for 14 Years, 1.

Richard Burges.

Elizabeth Hardy, who was convicted in August Sessions last, of Burglary, having received his Majesty's Mercy on Condition of Transportation for 14 Years, she was brought to the Bar and received Sentence accordingly.

Sir ROBERT GODSCHALL, Knight, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on *Wednesday* the 24th of *February* next, at Eight o'Clock in the Morning.

N. B. Whoever presumes to print any of these Trials will be prosecuted with the utmost Severity.

THE
PROCEEDINGS

AT THE

Sessions of the Peace, Oyer and Terminer,

FOR THE

CITY of LONDON,

AND

County of MIDDLESEX,

ON

WEDNESDAY the 24th, THURSDAY the 25th, FRIDAY the 26th,

and SATURDAY the 27th of FEBRUARY,

In the 15th Year of His MAJESTY's Reign.

NUMBER III. for the YEAR 1742.

BEING THE

Third SESSIONS in the MAYORALTY

OF THE

Right Hon^{ble} Sir Robert Godschall, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed and Sold by T. PAYNE, in Bishopsgate-Street, near the
South-Sea-House. M,DCC,XLII.

(Price SIX-PENCE.)

THE PROCEEDINGS

AT THE

Sessions of the Peace, Oyer and Terminer, For the CITY of LONDON, &c.

BEFORE the Right Honourable Sir ROBERT GODSCHALL, Knt. Lord-Mayor of the City of London; Mr. Baron CARTER; Mr. Baron ABNEY; Mr. Justice BURNET; Mr. Serjeant URLIN, Deputy-Recorder, and others his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal-Delivery of Newgate, holden for the said City and County of Middlesex.

London Jury.

John Hague,
Samuel Knight,
Edward Aldridge,
Joseph Saunders,
Richard Pargiter,
William Williams,
John Ruffin,
James Adams,
James Harrison,
William King Hartley,
William Gerrard,
William Kirke.

Middlesex Jury.

Thomas Harris,
Richard Johnson,
* Joseph Goodman,
Daniel Harrison,
John Burton,
Richard Knightsbridge,
Nathaniel Simpson,
Samuel Sommers,
Roger Waldron,
Increase Beale,
George Moore,
Joseph Vaines.

The Trials of the five following Persons having been omitted in the last Sessions-Book for

want of Room, they are here inserted to obviate any Surmise that they were left out with any Design or sinister View whatsoever.

† 58. **George Lander**, of *St. Leonard Shoreditch*, was indicted for stealing a Silver Tankard, value 7 Pounds, the Goods of *Hearsay Broomhead*, in his dwelling House, October 7th.

Hearsay Broomhead. On the 7th of last October, the Prisoner and another came to my House, and drank a Tankard of Beer. He (the Prisoner) staid about 2 or 3 Hours, and then took an Opportunity to go off with the Tankard.

Q. Did you see him take away the Tankard?

Broomhead. No; but I advertised it; and about a Week afterwards, a Person came and informed me, that he had pawn'd it in his own Name for four Guineas; and we went and found it accordingly at this Woman, *Mrs. Snelling's* House. The Tankard had been pawn'd there, but it was taken from thence to another Place where I found it.

Q. When did you first miss your Tankard?

Broomhead. Within half an Hour after the Prisoner was gone.

Q. Were there any other People drinking with him?

Broomhead. Yes, but they went away before him.

* Richard Cowling was sworn on Saturday in the Room of Mr. Goodman.

This Mark † is prefixed to such Indictments on which the Prisoners would receive Sentence of Death, should the Jury find them guilty, which will in this and many other Cases account for the Jury's either finding the Value of the Goods to be less than is laid in the Indictment, or abating the Charge.

By an Act of the 15th of his present Majesty any Person convicted of stealing any Sheep or other Cattle, or feloniously killing any Sheep, with Intent to steal any Part of the same, must suffer Death, as Persons convicted of Felony, without Benefit of Clergy.

The following are likewise capital Offences.

Privately stealing above the Value of 1 Shilling from the Person.

Stealing the Value of 5 Shillings out of a Shop, Warehouse, Coach-house or Stable.

Stealing the Value of 40 Shillings out of a dwelling House.

2

Q Are you sure the Tankard you missed was the Tankard they were drinking out of?

Broomhead. Yes, this is the Tankard; it is old sterling, and cost me 8 l. 2 s. 9 d.

Prisoner. I have spent a great deal of Money in his House, and have lodged in his House. Ask him if I ever wrong'd him of any Thing in my Life?

Broomhead. He did lodge in my House now and then a Night, when he has been late about Business. I can't charge him with any Thing, 'till this Affair, and I am sorry I can do it now.

Elizabeth Snelling. On the 7th of *October*, the Prisoner came to our House with another Man to recommend him, and desired to have 4 Guineas on a Tankard. I accordingly lent him the Money, and if he had asked for more, I should have lent it him. The next Day, the other Man's Wife came, and desired to have the Tankard. I scrupled it, and said, it was not usual to deliver Goods, but to the Persons that brought them, upon which she went away. She soon afterwards returned with another Person, who was to lay down the Money for it; but I still insisted on seeing the Person that brought it; upon which, she went and fetched me a Note, sign'd *George Lander*. I can't tell whose Hand it was, because I never saw the Prisoner's writing, and upon that Account, I would not let her have the Tankard. She then fetched her Husband, and I delivered it to him, upon the other Man, *Swanston's* laying down the Money for it.

Prisoner. I pawned the Tankard at her House for 4 Guineas.

Thomas Snelling. I never saw the Prisoner till the Day he was taken up, which was the 4th of this Month. There came three Watchmen to my Mother's, to know whether the Prisoner had not pledged a Tankard with us. I told them we had had such a one, but it had been redeemed. I went with them to the Prosecutor's House, and found the Prisoner there in Custody of an Officer with several other Persons; and I heard him confess, that he stole the Tankard, and (he said) he would tell no Lies.

Q How came he to say so much?

Snelling. I asked him when he came into the Room, and he directly own'd it, and said, he would tell no lies; he likewise confess'd, that he pledg'd it at our House the same Evening that he stole it.

Daniel White. I am a Shoemaker, and lodg'd at *Swanston's* House. Mr. *Martin* came to me, and informed me, he had got a Piece of Plate at

a Pawnbroker's, who, he believed was not in good Circumstances, therefore desired me to prevail on my Landlord to lay down the Money for him, that he might redeem it. I think he said, it was in for 4 Pounds or 4 Guineas, I can't tell which. My Landlord agreed to take it out, and they went away together, and in a short Time *Swanston* returned with the Tankard.

Lawrence Swanston. *Martin* and his Wife came to my House, and begg'd of me to lay down 4 Guineas to fetch a Piece of Plate out of Pawn, being desirous to put it into better Hands. Accordingly I went with Mrs. *Martin*, and she took out the Tankard, and directly pledged it at another Place, and returned me my Money.

George Wood. I live with Mr. *Bonner* in *Aldersgate Street*. About the 23d of last *October*, my Master called me down from Work, and told me, I must go with one Mrs. *Allen*, to fetch a Tankard out of Pawn from Mr. *Smith's*. It was pawn'd for 5 Guineas, and we fetched it out, and my Master lent 6 l. 10 s. on it.

Woodfield Walker. I have known the Prisoner seven or eight Years. I knew him when he set up for himself, and have bought Shoes of him several Times. I never heard of his wronging Man, Woman or Child.

Thomas Cross. I have known the Prisoner fourteen Years, and never heard no (any) Crime against him till now, and what it is now, I know not.

John Haines. I knew him in his Apprenticeship. His Master lived in the Neighbourhood, and I never heard any Thing amiss of him till now.

Another *Thomas Cross.* I have known him 6 or 7 Years: He has made Shoes for me, and my Family, and I never heard a Word of Ill of him on no Account.

Richard Edwards. I have known him 7 Years, and never heard any Ill of him before: He always bore a very good Character as far as ever I heard.

Edward Fellit. I have known him seven or eight Years, and never heard any Ill of him, or knew him to be guilty of any Crime: I was a Neighbour to him.

The Jury acquitted the Prisoner of the stealing out of the Dwelling-House, and found him guilty of simple Felony.

59, *Henry Albut*, was indicted for stealing 24 Knives, with Silver Handles, value 6 l the Goods of *James Dormer*, Esq; Dec. 9. Guilty.

60. † Daniel Bedrup, was indicted for privately stealing 40 lbs. of Iron, value 7 s. the Goods of Thomas Wagg, in his Shop. Dec. 23, Guilty 4 s. 10 d.

61 Samuel Oldbury, was indicted for stealing 16 Silver Links for Buttons, 5 Silver Studs, and a Silver Seal, the Goods of Edward Carter, Jan. 6. Guilty 4 s. 10 d.

62. † Sarah Wheeler, alias Collet, was indicted (with Mary Stanford, and Alice Waters, not taken) for assaulting Edward Watson in the Dwelling-House of Alice Waters, putting him in Fear, &c. and taking from him a Silver Stock-buckle, a Stock, a Handkerchief, a Pair of Worsted Gloves, and 16 d. in Money, Jan. 11. Acquitted.

† 1, 2. Alexander Afflack and John Lowdon, of St. James, Westminster, were indicted for breaking and entering the Dwelling-house of Andrew Stock, about 8 at Night, and stealing 12 pair of silver Shoe Buckles, 3 pair of silver Knee Buckles, 60 pair of Pinchbeck metal Buckles, 4 Gold rings set with doublets, 5 silver Stay hooks set with Bristol Stones, 1 Gold Ring, 5 Gold Rings set with Garnets, 50 Pinchbeck Metal Rings, 2 pair of Chrystal Buttons set in Gold, 36 silver Thimbles, 20 Pinchbeck Metal Thimbles, a Pocket Book, one Ivory Pocket Book, a Tortoiseshell Pocket Book, an Egyptian Pebble Snuff-Box, a silver Coral with 8 Bells, 1 silver Stock Buckle set with Bristol Stones, and 5 Glass Smelling-Bottles with Pinchbeck Metal Collars and Stoppers, the Goods of the said Andrew Stock, Jan. 15.

Catherine Stock. On the 15th of Jan. about 8 at Night, I was sitting just by my Parlour-Door with a Child in my Arms, and saw three Persons pass by the Shop and look in very often. I had 3 Shew Glasses standing within the Window, and in a few Minutes I saw Afflack put his Hand on the Window Frame. I did not see it lift up then, but presently I saw him draw the Shew Glass away, in which were all the Goods mentioned in the Indictment, and a great many other Things that I can't recollect. It stood within the Window, and the Shop Door was bolted.

Pris. Afflack. Please to let Jack Berry the Thief catcher be called into Court, and you will find that I am to be hang'd only for the Sake of the Reward.

Mrs. Stock. Lowdon acknowledg'd before Mr. Deveil that Afflack was the very Person that carried them off; that the other Person was one Smith,

and that he (Lowdon) had sold my Goods to 2 Jews in the City for 15 Guineas.

Pris. Q. Where was you when the Shew Glass was taken away?

Mrs. Stock. I sat just at the little Door that opens into the Parlour.

Pris. Q. You have sworn to Afflack, did you know him before he was taken up?

Mrs. Stock. I never saw him before that Night, but I look'd so earnestly at his Face, that I knew him when I saw him again.

Pris. Q. How came you to discern so particularly as to distinguish Afflack?

Mrs. Stock. There was a Lamp at the Door, and a Candle in my Shop, and I sat with my Face towards the Shop.

Q. Are you a married Woman?

Mrs. Stock. Yes,—my Husband's Name is Andrew Stock.

Mary Westbury. I was going to Mrs. Stock's with a Child's Coat and Skirt, and saw Afflack standing with his Hand upon the Post by the Door, and another Man in a blue Coat with his Back against the Wall.

Q. Did you hear Mrs. Stock complain of being robb'd?

Westbury. I was not in her House then, but my Mistress went to her, and Mrs. Stock told her she had been robb'd.

Pris. Q. Did Mrs. Stock enquire of you whether you had seen any Body about her Shop?

Westbury. Yes, and I described Afflack and another to her, but I saw three Men in all.

Pris. Q. Has not one Burt had some Talk with you about this Affair?

Westbury. Burt never said any Thing to me about it.

Mr. Deveil. The Evidence of Mrs. Stock and the young Woman (Westbury) is *verbatim* the same as before me. Mrs. Stock then swore positively to Afflack, but as to the Confession of Lowdon, he said he knew who had taken the Goods, but did not say that he was there.

William Stapleton. I was at Mr. Deveil's when the Prisoners were examined, and heard Lowdon say he was concern'd in taking the Shew Glass away, and Afflack and another Man were likewise concern'd in carrying it off; Lowdon mentioned something of a pair of Silver Buckles which the other Man took away with him.

Q. to Mrs. Stock. Do you remember any Thing that was declar'd by the Prisoners before the Justice?

Mrs.

Mrs. Stock. Yes, they said there was a pair of Silver Buckles with Roses and Diamonds, which one *Smith* then had in his Shoes.

Wenwood Barret. I happen'd to be at Colonel *Deveil's*, and to the best of my Knowledge heard *Lowdon* say, that *Afflack* was the Man that carried away the Things.

Andrew Stock. In Regard to the shutting of the Shop, I shut it myself, and when the Prisoners were before Mr. *Deveil*, *Lowdon* was willing to be made an Evidence, with this Proviso, that I should have my Goods again. He accordingly inform'd me that they were sold to two Jews, *Aaron Polock* and *Moses Brew*, who lived in Shoemaker Row, near *Aldgate*, and that he (*Lowdon*) had 15 Guineas for his Part of the Goods. Upon this I got a Warrant and proper Assistance to search, but did not find any of them again.

Q. Did *Lowdon* confess the selling your Goods to those Jews?

Mr. Stock. Yes; he said he had 15 Guineas for his Share, but they *junk* some of them, and the Jews had got every Skin of them, (that was his Expression) and the other Man (*Smith*) had got a pair of my Buckles with Roses and Diamonds in his Shoes.

Q. Where did he tell you this?

Mr. Stock. In the back Room—not in Mr. *Deveil's* hearing.

Mr. Deveil. Mr. *Stock* declar'd before me, that nothing that *Lowdon* had said should hurt him, except he was admitted an Evidence.

Mr. Stock. I made no such Proposition to him: Mr. *Deveil* mentioned it to him, but I did not. Mr. *Deveil* said, you shall be admitted an Evidence, with this Proviso, that Mr. *Stock* can get his Goods again.

Pris. Q. Did you contradict Colonel *Deveil* when he said that?

Mr. Stock. No, I did not, because I was in Hopes of having my Goods restor'd to me.

Edward Simpson. About a Quarter after 8 at Night, I saw 3 Men at the Back of *Burlington-Gardens*, I heard one of them say, *Why don't you help him up with it?* and then they went off, and left an empty Shew-glass behind them. As to their Persons, two of them were pretty short Men, and it being dark, two of them seemed to be in blue Coats, and the other was in a white Coat.

John Burt. I went in the Coach with the Prisoners from Mr. *Deveil's* to the Gatehouse. *Afflack* denied that he knew any Thing of the Affair,

but said to *Lowdon*, John! *make yourself an Evidence, save your own Life and don't mind me, for I am a dead Man.*

Afflack. I told him the Woman had sworn wrongtully against me, and he might do the same. On Sunday Morning was three Weeks, I was taken out of my Bed, and carried to Mr. *Burt's* House. They fetch'd six or seven Quarterns of Gin, and *Jack Burt* ask'd me to be an Evidence; I told him it was not in my Power, upon which he pull'd out a long Cutteau Knife, and swore he would keep me in the House till he hang'd me, unless I would make myself an Evidence.

A Witness. I being Watchman to Mr. *Burt*, he charged me to assist him with these Prisoners down to the Gatehouse; and I heard Mr. *Afflack* say to *Lowdon*, *make yourself an Evidence, and put me in the Information to save your own Life!*

DEFENCE.

Sarah Bradbury. Mrs. *Stock* came to my House about six Weeks ago, and asked me for the Constable. I told her I was his Wife, and called him to her. He asked her what she came about? and she told him she was recommended to him by Justice *Trent*. She said she was undressing her Child in the back Room, and heard the Sash throw up. She then threw the Child out of her Arms, and ran into the Shop, and saw no Body at all; that she immediately went to her next Door Neighbour and told him the Story; and they went away together to Justice *Trent*, who recommended her to my Husband.

Q. Did she talk very loud to your Husband?

Bradbury. She talked so loud that six or seven People more in the House heard her, and I have them all here. She said after the Glass was taken away she saw no body.

C. That she says now.

Bradbury. She told my Husband, neither before nor after.

Mrs. Stock. I never was before Mr. *Trent* in my Life.

Mr. Stapleton. I am next Door Neighbour to Mrs. *Stock*, and when this Robbery was committed I was not at Home. I never was before Mr. *Trent*.

Mr. Stock. It was I that got the Warrant from Mr. *Trent* myself.

Francis Weaker. I heard Mrs. *Stock* say she had been robb'd of a Shew-glass, and that she had been at Mr. *Bradbury's*. I ask'd her if she had been at Mr. *Lover's*, for there perhaps she might

might see some of them, and she said she did not know who they were, but she had been inform'd one of them was a short Man, and the other a tall Man.

A Witness. I was at *Bradbury's* when *Mrs. Stock* came in, she told him she was recommended by *Justice Trent*, and that she had lost her Shew-glass, but she was in the back Room dressing the Child, and could not see any Body. Why then (*said Bradbury*) how can I take them, if you can't describe them to me?

—*Ship* About six Weeks ago, I happen'd to be drinking at *Bradbury's* after I had done Work, and a Woman came in and said she had lost a Shew-glass. He asked her where she lived? she said over-against *Major Foubert's*, and that she had no Warrant, and did not know the Men.

A Witness. I was drinking a Pint of Beer at *Bradbury's*, and a Woman came in, and said she had been robb'd of a Shew glass; and she said that (*as bow*) she was in the back Room dressing the Child. —I did not hear *Justice Trent* named, for I gave no Ear to it.

A Woman. *Alexander Flack* and his Wife lodg'd at my House, and he paid me Rent very honestly, and during that Time I never heard no Harm of him.

Lowdon. I have nothing to say but that I am Innocent, and *Jack Berry* the Thief-catcher has trump'd up this Story.

A Witness. I come for that Gentleman, *Mr. Flack*. I was at *Bradbury's* when the Woman came in, and he asked her if she knew the Person that stole the Shew-glass; she said no, for she was in the back Room undressing the Child.

—*Bradbury.* This Gentlewoman came to my House, and said she had been robb'd of a Shew-glass worth 40*l*. She said she did not see any Body in any shape whatever, and that *Mr. Trent* recommended her to me.

Afflack Guilty Death. *Lowdon* acquitted.

3. *Ann Stevens*, was indicted for stealing a Silver Buckle, value 5*s*. the Goods of *James Skeen*, Feb. 15. Guilty 10*d*.

4. *John Fryer*, was indicted for stealing a pair of Leather Shoes, value 5*s*. the Goods of *Thomas Phisthan*, Feb. 18. Guilty 10*d*.

5. *Elizabeth Gibbons*, was indicted for stealing a Cloth Coat, a Cloth Waistcoat, a pair of Cloth Breeches, 3 Linnen Shirts, a silk Scarf, a pair of Worsted Stockings, and a silk Handkerchief, the Goods of *William Coatsworth*; 3 Shirts, 2 Pillowbiers, and a Napkin, the Goods of *Michael Gibbons*. Dec. 7. Guilty.

6. *Alice Rackett*, was indicted for stealing 3 Yards of Cotton, value 3*s*. 6*d*. the Goods of *William Upmore*, Feb. 9. Guilty, 10*d*.

† *John Lowdon*, of *St. Paul's Covent Garden*, was indicted for privately stealing a silver Watch, value 40*s*. from the Person of *William Payne*, Jan. 13.

William Payne. I don't swear to the Prisoner, because I was in Liquor when I was robb'd, but I can swear to my Watch. He own'd that he robb'd me of it, and here is the Person he pawned it to. It was on the 13th of *January*, between 1 and 2 in the Morning, I had been with some Friends at the *Brown-Bear* in *Bow-street*, about some Business, and when I parted with them I went into *Earl's-Court*, and was robb'd of my Watch: my Hat was likewise taken away and carried about 20 Yards, and then thrown into an Area. After they had robb'd me, some Friends took me Home, and then I missed my Watch.

2. You mention *they*, were there several Persons there?

Payne. Yes, I believe so.

2. Who was with you, that you say *they* took your Watch?

Payne. Only the Prisoner and the Evidence *Gilson*, as he informs me.

Pris. Ask him whether he ever knew, or saw me before?

Payne. Not to my Knowledge.

James Gilson. I know the Prisoner very well; he lived Fellow-Servant with me at *Spring-Gardens*, *Vaux-Hall*, and was turn'd away from thence about three Summers ago. He and I were at the Gaming Table in *Vinegar-Yard* together on the 13th of *Jan.* playing at a Game called *Reds and Whites*;—it is a House kept by one *Mitford*. After the Gaming was done, which was about 12 o'Clock at Night, we went to a Night-house, the *Brown-Bear* in *Bow-street*, and having brought myself very low, design'd to sit up there all Night. *Lowdon* told me I might lie at his Lodging, upon which we both went out, and just at the Corner of *Earl's-Court*, this Gentleman *Mr. Payne*, lay quite down upon his Back. When we had got about two Yards past the End of the Court, *Mr. Payne* groaned, and I said to the Prisoner, *Jack! I'm afraid here's a Man dead!* I set him up against the Wall, and the Prisoner came and look'd at his Buckles to see if they were Silver, and at the same Time push'd *Mr. Payne* down, took his Watch from him, and ran cross the Way, and cry'd, *D——n your Eyes,*

Eyes, Jack, why don't you come along? I did not go directly to him, but put Mr. Paines's Back against the Wall again, upon which the Prisoner came over to me, and catch'd me by the Arm, and lugg'd me away for fear we should be taken, for he had got the Watch, he said: We then went down to the Bottom of Bow-street, and came up again to see whether he was gone or no. He said he supposed he had got more Money about him, and when we came to the End of the Court, there were two or three Gentlemen with him. After this, we went into *Phoenix-Alley*, and by the Light of the Lamp, the Prisoner opened the Watch, and said, it was a very good one, but it was very large, and would fetch about a *Ridge*. I asked him what he mean'd by a *Ridge*? and he told me, it was a Guinea, and that he would not sell the Watch that Night, but I should go Home and lie with him. The next Morning he and *Flack's* Girl went and pawn'd the Watch in *Fox's-Court*, *Gray's-Inn-Lane*.

Q. Was you with them then?

Gilson. Yes; but I did not go into the House. He told me he had pawn'd it for 25 s. but it seems he had thirty-five upon it, and he gave me Half a Guinea out of it.

Q. Why did not he give you half?

Gilson. He did not give it me as my Share, but bid me go, and get a clean Shirt and a Waistcoat.

Pris. Ask him if there were not two Women coming by when the Man lay drunk?

Gilson. Not that I perceived.

Pris. Did he see me take the Watch out of his Pocket?

Gilson. No, but I heard the Chain gingle, and afterwards saw the Key in his Hand.

Pris. I took the Watch off the Ground, 4 Yards from the Man. Did I not assist him to set the Man up against the Wall?

Gilson. No, when I set him up, the Prisoner pushed him down again.

Thomas Birch. I live with Mrs. Parsons, in *Fox-Court*. I know nothing of the Prisoner; but he brought the Watch in the Name of *Peter Wise*, and I lent him 35 s. upon it. My Mistress was then at *Islington*, in a bad State of Health, and I was entrusted by her to carry on the Business. — The Watch is worth 50 s. to any Body that wants such a Thing, and no more, according to my Judgment.

Q. Have you any Part of the Profits?

Birch. No: I asked the Prisoner if it was his own Property, and he said it was, and he would fetch it out in four Hours Time, for he was in a great Hurry.

Q. What was you to have besides the Money again?

Birch. The Interest; which was Ten-pence Half-penny. He brought it on the 13th of *January*, about half an Hour after 8 in the Morning.

Mary Thornton. About the 12th of *January*, as near as I can guess, — I believe I can be certain as to the Day, because I am a Midwife and keep a Register: —

Q. Do you know the Prisoner?

Thornton. I have seen him about twice; — his Father was a Watch and Clock-maker, and I remember something of him. I was called to a *French woman's* in *Shorts-Gardens*, between six and seven in the Evening, and when I came from thence, I took my Servant and a Man with me, to see me safe Home, and just by *Bow-street*, there is a kind of a *Bagnio*, and I heard some Body say, *There is a Man lies dead*. It was Moonlight, and I saw that young Man at the Bar snatch up something from the Ground which shone very much. I have seen the Prisoner twice before, to the best of my Knowledge, and that is as much as I have, and he had the very same Cloaths on as he has now.

Q. Did you see the Man that lay for dead?

Thornton. I saw something lie along; I don't know that I saw the Evidence, *Gilson* there: — What I took most Notice of, was, the Colour of the Buttons on the Prisoner's Coat.

Jury. We desire she may be asked how she knew that the Prisoner was taken up?

Thornton. I live in *Half-Moon-street*, and heard that such a Neighbour's Son was taken up.

Q. Did you see the Man set up against the Wall?

Thornton. No, I was afraid to stay when I heard that the Man was dead, and I saw the Prisoner snatch up something, and it might be a Watch or a Snuff-box, for I did not stay to see.

Elizabeth Hickson. I don't know any Thing of the Prisoner, but I remember his Face: As my Mistress and I were coming along, I see him pick up the Watch, — I think it was a Watch.

Q. Have you ever seen the Prisoner before?

Hickson. I don't know him any farther than by

by seeing him as he went along. It was very light being Moon-light, and I observed no Man but him that picked up the Watch.

Q Did you see the Prosecutor stand against the Wall.

Hickson. No, I did not see him, for I was behind my Mistress, and had hold of her Arm.

Q What Time of Night was it?

Hickson. I know it was after Twelve, because the Clock struck just as we came out of the House in *Short's Gardens*.

Prisoner. My Father died about eight Weeks ago.

Thornton. About a Month ago, I heard that his Father was ill, and that he (the Prisoner) was taken up on Account of some Robbery.

Guilty Death.

7, 8. C——C—— and John Baker, were indicted for stealing (after the 24th of June 1731,) a Leaden Sink, value 3 s. 24 lb. of Lead, value 2 s. 8 Iron Bars, value 16 d. belonging to William Duffin, Esq; fixed to several Houses in *Cable-street*; a Clock, value 30 s. a Brass Stew-pan, value 2 s. 6 d. a Brass Pot, value 2 s. 6 d. and 4 stuff Window Curtains, the Goods of William Duffin, Feb. 1. Both Guilty.

9. John Baker, was a 2d Time indicted with William Floyd, for stealing 1 C. wt of Lead, value 8 s. 4 d. belonging to William Duffin, Esq; fixed to several Houses in *New Gravel-Lane*, May 2. Both Guilty.

10. Eleanor (the Wife of John) Buzlance, was indicted for stealing one Pound 5 Ounces of Beaver Fur, the Goods of Daniel Smith and Barnabas Wilcox, Feb. 17. Guilty 10 d.

† 11. Joseph Ester, was indicted for stealing a 3 l. 12 s. Piece, and two 36 s. Pieces, the Money of Thomas Long in his Dwelling-House.

Acquitted.

12. Thomas Bannitt, was indicted for stealing 2 dead Turkeys, value 4 s. the Goods of David Poovel, Feb. 9. Acquitted.

13. Rebecca Hudson, was indicted for stealing a Brass Pestle and Mortar, value 3 s. the Goods of Isaga Kemp, Jan. 30. Acquitted.

14, 15. John Brooks and Samuel Cor, were indicted for stealing a Cloth Great Coat, value 24 s. the Goods of Humphry Bowles, Esq; Jan. 24. Both Guilty.

16. Elizabeth Curidge, was indicted for stealing a Copper Pot, value 5 s. and a Copper Stew-pan, value 1 s. the Goods of John Loxton, Feb. 14. Guilty 10 d.

17. † Robert Lloyd, of *St. Dunstan's in the West*, was indicted for stealing 3 Linnen Money Bags, value 3 d. 50 3 l. 12 s. Pieces, 100 Mon-dores, 400 Guineas, and 40 l. in Money, the Money of John Simpson and Thomas Ward, in their Dwelling-House, Jan. 9.

William Wettersden. On Saturday the 9th of Jan. I was alone in our back Shop, when two Men open'd the Door and came in. I met them just at the back Shop Door, and immediately the first Man asked me if one Mr. Franklin liv'd there? The second Man made a sort of a Bustle with his Feet, and said, D—— you, you are the Man. The third Man then put a Pistol to my Breast, and said I was a dead Man, and indeed I was in such a Fright that I thought I was dead. I look'd over one of their Shoulders, and saw the third Fellow making behind the Counter, for which Reason I cry'd out, and the two Men who stood over me then left me, and likewise the third Fellow who had the Money, and in the Confusion one of the Pistols went off, as I thought by accident, upon which they ran out of the Shop. I then perceived that 3 Bags had been removed to a different End of the Counter from the Place where they first were, and there were upwards of a 1000 l. contained in them.

Q Was the Prisoner one of those Persons?

Wettersden. I really can't say that he is.

Ralph Hall. I live at Mrs. Downings the Corner of Clifford's-Inn in Fleet-street. My Time being expired, my Mistress was paying me my Money, when I was alarmed by the Report of a Pistol. I looked and saw 2 Fellows in the Banker's Shop, and immediately a Man in Grey Cloaths (something taller than the Prisoner) opened the Door. The Prisoner was then behind him in the Shop, and as soon as the Door was open'd, they both ran athwart our Shop towards Chancery-Lane. Mr. Simpson's Footman presently came to the Door, seemingly in some Confusion, and cry'd, Stop Thief! I joined in the Pursuit, and in Bell-Yard the Prisoner was taken, but the other Man made his Escape.

Q When he was taken what did he say to you?

Hall. He desired us to let him go, for he was afraid of being Arrested.

Thomas Brooksbank. On the 19th of January about 3 in the Afternoon, I had some Business at Mr. Brome's Shop, facing Mr. Simpson's, and heard the Report of a Pistol. Immediately two Men came out, and after them a third, and were pursued by Mr. Simpson's Footman with a Cry

of *Stop Thief!* They ran up *Chancery-Lane*, and I went through the *King's-Head Tavern* in order to meet them, and just at *Crown-Court* I heard some People say, *Let him go, it is only an Arrest!* Notwithstanding that, I follow'd them, and a Gentleman who was then coming down the Court stopp'd the Prisoner. I likewise took hold of his Collar, and he desir'd me to let him go, for they were Bailiffs (he said) that were after him.

James Barton. I was going down *Crown-Court* on an Errand, and met the Prisoner running as swift as he could with something in his Hand, but what it was I could not discern. He threw it under a Gutter which the Water runs through, and the Mob saying he had shot a Man, I put my Hand under the Gutter, and found this Pistol:—It was discharg'd, and the Cock was broken off with the Fall. When the Prisoner was taken, and carried before Mr. Alderman Hoare, I was desir'd to put my Hand up the Gutter again to search for the Cock of the Pistol: I did so, and found it accordingly.

Mr. Thomas Worron. On Sunday Morning, the Day after this Robbery was committed, I went to *Newgate* to see the Prisoner. I asked him how he could be guilty of such a notorious Thing? He at first denied it, but upon my telling him that he would certainly be hanged. He cry'd and fell on his Knees; I then told him, I would make him no Promises of Favour, and he then said, that he work'd at *Hackney*; that his Brother fetched him from thence to get into better Bread; and that they had walk'd about this Place for three Days to take an Opportunity to commit this Fact. He added, that it was his Pistol that went off, and that the Discharge of it was occasioned by his accidentally hitting it against the Side of the Counter; and that *Lucas* (one of the Persons not taken) went into the Shop, and held the Pistol to the young Man, and then his Brother *Lloyd* went behind the Counter to take the Bags, and that he was to stand Centry with a Pistol at the Stairs Foot to prevent any Person's coming up or down.

Prisoner. I lived at *Hackney*, and *Edward Lloyd* and *Robert Lucas* fetched me away, and said they had got a Place for me, upon which I came to Town, and then I was disappointed. In a few Days I got another Place at *Black-Fryars*, where I staid about 7 or 8 Days, and then they took me from thence, and that Day we committed this Fact, they made me fuddled; they went in to ask for a fictitious Name, and *Lucas* clapp'd a Pistol to that Gentleman's Face.

It is the first Fact I ever did, and I hope you will have Mercy and consider me.

Guilty Death.

18. *John Jefferies*, was indicted for stealing 1 hundred Weight of Lead, Value 15 s. the Goods of Persons unknown. February 10th, Acquitted.

19. *James Buxat*, was indicted for stealing 2 Adms, value 40 s. the Goods of *Robert Cooper*, Jan. 20. Guilty.

20. *Dorothy Preston*, was indicted for stealing a Pewter Gallon Pot, Value 6 s. the Goods of *Henry Biggs*, Jan. 31. Guilty.

21. *William Stummer*, alias *Catchlom*, was indicted, for that he, on the 21st of January, feloniously made, and forged, a certain counterfeit Order in Writing, directed to Mr. *Alexander*, in *Wood-street*, &c. with Intent to defraud *Wm. Alexander*, and Company, &c.

Robert Hutton. It was on the 21st of January last, I was standing at *Gray's-Lan-Gate*, in *Holborn*, when the Prisoner came to me, and asked me, if I would go on an Errand for him. I told him, I would if he pleas'd: he had then an half Sheet of Paper in his Hand, and we went into the *Elephant and Castle* together. I saw him write this (here) Paper, and he directed me to go with it to Mr. *Alexander's*, a *Brasser* and *Ironmonger*, against *St. Alban's Church* in *Wood-street*. Accordingly I went there, and as soon as I came into the Shop, I deliver'd the Paper to Mr. *Coking*, Mr. *Alexander's* Servant. *Coking* looked over the Paper, and seem'd to suspect it: he carried to Mr. *Combes*, who asked me, if I came from Mr. *Gough*; I told him, I did not know who Mr. *Gough* was, but the Person who gave me that Paper, was then waiting at the *Elephant and Castle*. Upon this, they scrupled giving me the Goods, and after I had waited half an Hour and upwards Mr. *Combes* sent two of his Servants before, and one of them went with me to the *Elephant and Castle*. When we came there, the Prisoner was gone from thence; but had left Word, that he would be back in an Hour. When he returned, this Paper was produced to him, and he own'd it was his Hand-writing, and wondered why Mr. *Alexander* did not send the Goods, for he had a Coffin to finish in haste in *Bloomsbury Square*.

The Paper was read.

To Mr. *Alexander*, over against *St. Alban's Church* in *Wood-street*.

Send by the Porter, one set of Brass Work for Drawers, fifteen Handles, nine Locks, six Scutcheons,

two Keys, one Tenant Sadow, two sets of three Shilling Leather Garters, and a set of Ditto Brass, for the Use of me, *William Gough.*

Mr. Gough. I am an Upholder, and live in Westminster, I have dealt with *Mr. Alexander* heretofore, but I think it is near 2 Years since I had any Thing of him.

Counc. Is that Paper your Hand-writing?

Gough. No, I believe it to be the Prisoner's, for I have compared it with several Receipts which I received from him when he was an Apprentice, and the Writing agrees exactly.

Mr. Combes. The Prisoner confessed over and over that this Paper was his Hand-writing. *Hutton* brought it to our House, and desired to have Goods upon it. He first gave it to my Servant, who delivered it to me, and we went to the Elephant and Castle, and found the Prisoner. He at first said, he would send for his Master *Gough*, but afterwards begged for Mercy, and owned it was his Hand-writing.

Wm. Coking. I am Foreman to *Mr. Alexander*, and was the Person that received this Paper of the Porter. He told me, he came from the Elephant and Castle, and after I had shewn the Note to *Mr. Combes*, I went with another Man to see for the Prisoner. When we came to the Elephant and Castle, the Prisoner was gone from thence, but he afterwards came in, and I clapped him on the Shoulder, and ask'd him how he did? He asked me if I had brought him the Goods? I told him, I did not care to give them to the Porter, upon which he told me, I was very much in the Right, but he should have been glad if I had brought them with me. He told me, the Paper was his Writing, but as he was *Gough's* Servant he had wrote it in his Name.

Mr. Gough. He never work'd for me but two or three Days, and I never sent him with an Order to any Person.

Prisoner. There has been somebody else in the Name of *Mr. Gough* as well as myself, and as to the Paper, that is not the same that I wrote.

A Woman. I have known him a good while, but never knew him do any Thing before.

Guilty Death.

22. † *Martin*, alias *Morgan* *Stowland*, of *St. Clement Dunes*, was indicted for unlawfully and feloniously procuring *Tho. Meredith*, a Subject of our Lord the King, to serve the King of France, as a Soldier, (he being a foreign Prince) with-

out the Consent of our Lord the King, under his Sign Manual first had and obtained, in Contempt of our said Lord the King and his Laws, &c. &c.

The Council for the King having opened the Indictment, observ'd, that this Prosecution was grounded on a very salutary Law, which was made in the 9th Year of his present Majesty, in order to prevent the Strength of this Kingdom from being carried out of it into foreign Countries, &c. &c.

Thomas Meredith. I am a Welshman, and belong to the second Regiment of Guards, and I believe it was three Weeks ago when I first saw the Prisoner.

Counc. What Employment do you follow when you are not upon Duty?

Meredith. I used to work on the Keys between *Billinggate* and the Tower.

Counc. Where did you see him first?

Meredith. Upon the Keys. His Countryman told me he carried Men abroad, upon which I went to him, and talk'd to him sometime. He told me he was then a Soldier in the Service of France, and if I would go with him, I should have 5 Pence Half-penny a Day, and 4 Leaves a Week, every one as big as a three-penny Loaf.

Counc. Was that all you were to do, barely to go along with him?

Meredith. My Brother came to me in his Soldier's Cloaths, upon which the Prisoner seem'd to be very much frighted to see him, but I bid him not be afraid, for he was my Brother. Then says he, we will go and drink a Mug of Beer: I told him, I had no Money, never mind that, (said he) I have Money enough. We then went over the Bridge, to a public House on the other Side of the Water, by the Borough-Market, and had some Beer. He told us there, if we would go along with him, we must go that very Night, and by the next Night we should get to Dover, and with a fair Wind, we should be over in 3 or 4 Hours; after which, we had got about four and forty Miles to travel by Land.

Counc. To what Purpose where you to go those four and forty Miles?

Meredith. I was to go with him to meet his Regiment.

Counc. After this Conversation passed, what was done then?

Meredith. He told us, if we would go with him to his Quarters, he would give us a Dram; accordingly I went with him to his Quarters in *Kent street*, very near the Red Cow, and there

we had 3 Quarters of Gin, and some Bread and Cheese, and he told me, he had been to sell a Pound of Tea for 7 s. which cost him but 3 s. in France.

Jury. We desire he may be asked, whether he then had his Regimentals on?

Meredith. Only my Regimental Waistcoat: my Brother was in his Regimentals. He called us up Stairs, and talk'd to us a good while, and his Landlady came, and talk'd to us too, and told us, when we came to France, we should live like Gentlemen. After we had been there some Time, the Prisoner came along with us, in order to sell my Brother's Cloaths, but before he went away, his Landlady gave him some Money to buy a Breast of Mutton for us, and he desired her, as there were a great many Lodgers in the House, to send them to Bed before we came back. We went from thence into the Strand, and turned down to the Barracks before we went to the Public House, because my Brother wanted to ask the Serjeant what we must do with the Prisoner.

Counc. Where did you go to after that?

Meredith. We went to the Coat Hole, a public House just by the Savoy.

Counc. Who was there when you came to that House?

Meredith. There were 4 *Welshmen* of us in all, *Joseph Griffith*, *Thomas Richards*, and *John Meredith*. One of them *Tom Richards*, came along with me; I met him in the Street.

Counc. After you got to this Alehouse, what passed between you and the Prisoner then?

Meredith. We had three Pots of Beer, and then he and I went out of the Room, and I told him I had no Money to pay my Reckoning. Upon that he said, here is 6 d. but it is upon the Account of your going with me, and you must make every Thing good when you get to France.

Counc. Was there any Body else present then?

Meredith. No, we went out together, and he told me, I should have 3 or 4 Guineas Advance when I came over.

Counc. You say, that when you went out together, you told him you had no Money, and that he then gave you 6 d. did he give it you to pay the Reckoning, or to go with him?

Meredith. I took it, and considered it as Money given to me to 'list to go with him, and he at that Time promised me 3 or 4 Guineas Advance when I came over.

Counc. Did he promise any Thing else?

Meredith. Yes, five Pence Halfpenny a Day, and 4 Loaves a Week, every one as big as a three penny Loaf. When I came in again, the other *Welshman* and I told him we would all go with him, and he then shewed us his *Furlow*. One of the Men pretended to read it, but could not, upon which the Prisoner attempted to snatch it out of his Hand, and tore out a Piece of it, and then we took him Prisoner.

Counc. See if that Paper is the same?

Meredith. Yes, this is the same, I wrote my Name on the Back of it when we were before the Justice.

2. Recollect as near as you can, the very Words he said to you when he let you have the Six-pence.

Meredith. He said, here is 6 d. on the Account of going along with me, and (says he) after you go over, you must make every Thing good to me, and perhaps as soon as you are there, you shall have 3 or 4 Guineas Advance Money.

Counc. What was you to be when you went over?

Meredith. He told me I was to be a Soldier in the King of France's Service.

2. Did he say you was to go to his Regiment?

Meredith. I can't tell what Regiment I was to be in. He told me he was then a Soldier in France.

Counc. Was you not to be in the same Regiment as he?

Meredith. I understood him so.

John Meredith. I am Brother to the last Witness, and was watching for Work at the Custom-House Key, and saw the Prisoner and my Brother together. I heard them talking a little, and then my Brother told me, he was a Soldier belonging to the King of France, and he asked me to go along with him. I was then in my Regimentals, and I asked him how I could go with him in those Cloaths, for I should certainly be taken up. Then, says he, you must have coloured Cloaths, and we must sell them that you have on; and after this, we went down to the Savoy Barracks.

Counc. Did you hear the Prisoner say any Thing to your Brother?

Meredith. Yes, he ask'd him to enlist in the King of France's Service as a Soldier.

Counc. Did you go to the Borough with them?

Meredith. Yes, but I was going to the Savoy Barracks, and then the Prisoner said, we must have a Pot of Beer together. I told him I had

no Money; well then says he, I have so much Brass as that; and then we went over *London-Bridge* to a House in the *Borough*. He there told me it was better living there than here, for we should have 5 d. halfpenny a Day, and four Loaves a Week; said I, I have taken my Oath here to be true to this King, and I suppose I must take my Oath again when I go over. No, no, said he, there is nothing in it, you only kiss the Book. We then went with him to his Quarters in *Kent street*, and had some Gin, and he told us if we had a Mind to go with him we must go to *Rag-Fair* and sell our Cloaths.

Counc. How came you not to go to *Rag-Fair*?

Meredith. I told him *Monmouth street* was a better Place, for I had a Mind to ask some Advice before I took him up, and accordingly when we came to the *Savoy* I ask'd Serjeant *Taylor* what I must do with him? and he told me I must take Care of him. We went from thence to the *Coal-Hole*, *Griffith* and *Richards* were there when we came in, and I told the Prisoner that one of them might go with us. He had some Talk with them about lifting, and then I went out and can't tell what passed afterwards.

Counc. Did you see this Paper taken from the Prisoner?

Meredith. Yes, and he tore a Piece out of it in pulling it away:—this is the same; I wrote my Name on the Back of it.

Q. What was the Occasion of the Prisoner's producing that Paper at all?

Meredith. *Griffith* said to him, *How can I know that you belong to the King of France?* Why, said the Prisoner, I have a *Furloe*; let me see it, said *Griffith*, and he then pulled it out directly.

Counc. Did the Prisoner tell you what Countryman he was?

Meredith. Yes, he told me he was an *Irishman*.

Joseph Griffith, The first Place where I ever saw the Prisoner, was at the *Coal-Hole* by the *Savoy*. I sat down and drank there, and these three Men told the Prisoner, that I would go along with him. Upon that, he talk'd to me about enlisting myself, and I ask'd how I should know that he belonged to the King of *France*? for he might want to carry me to another Place. O! says he, I have a *Furloe* from my Captain in my Pocket, and he desired me to go with him to be a Soldier in the King of *France's* Service.

Counc. Did he produce the *Furloe*?

Griffith. Yes, this is the same; I wrote my Name on the Back of it.

Counc. How came that Bit out of it?

Griffith. I desired him to lend me the *Furloe*, for I told him I could read *French*; upon which *Richards* talked to me in *Welsh*, and desired me to keep it: The Prisoner then wanted to snatch it away, and broke the Piece out.

Counc. Did you hear him say any Thing about any Oath?

Griffith. I asked him if there was any Oath to be taken? and he said, he would be bound that there was not.

Counc. Did *Thomas Meredith* go out of the Room with the Prisoner?

Griffith. Yes, and when *Meredith* came in, he told me the Prisoner had given him 6 d. by Way of Earnest, to go with him to *France*.

Counc. Was that before or after you saw the *Furloe*?

Griffith. Before we saw it.

Counc. How long was that before you seized the Prisoner?

Griffith. About half a Quarter of an Hour, for he came in, and fell into Discourse with me by the Fire Side.

Thomas Richards. I am a *Welshman*. My Comerade *John Meredith*, came to the Barracks, and told me the Prisoner wanted to enlist him in the *French* Service. The Prisoner was then at the Gate with *Thomas Meredith*. I went with them to the *Coal-Hole*, and drank a Pot of Beer, and sent *John Meredith* to see for the Serjeant, but he could not find him. Then the Prisoner and *Thomas Meredith* went out together, and when they return'd, *Meredith* told me the Prisoner had given him 6 d. to enlist him in the *French* Service. After that we had a Pot of Beer, and *Griffith* ask'd the Prisoner how he should know that he belong'd to *France*? He then produc'd this *Furloe*: I took it out of his Hand, and he tore a Bit out of it himself in endeavouring to pull it away.

George Hutchinson. I was sitting at my Quarters (the *Coal-Hole*) when the Prisoner came in with these Soldiers. They whisper'd a long while together, and I thought they were enlisting him, and not he them. The Prisoner then desired *Richards* to send for me out of the Room, and then they read the *Furloe*. I saw the Prisoner snatch it out of the Man's Hand, and I carried it to my Landlord in the Bar, and he read it.

Mr. Deveil. These People were before me, and sign'd this *Furloe*. They charg'd the Prisoner with enlisting Men for the *French* Service: He

was obstinate for a considerable Time, but at last acknowledg'd, that he was employed in this sort of Business by one *Mackinnar*, who (he said) was one of the *French* Officers. This is the *Furloe* that was produc'd before me.

Counc. Did the Prisoner say any Thing of any other People that were here on the same Business?

Mr. Deveil. Yes, he told me there were several others either landed, or just landing, upon which I pressed him to make himself an Evidence, but he refused.

[The Paper was in *French*, but was read in *English* as follows.]

"Foot, Regiment of *Dillon*.

"We who have undersign'd this, do certify
"all concern'd, that we have given Leave for
"six Months, to one named *Martin Nowland*, a
"Soldier in the Company of *Capt. Morris*, in the
"Regiment of *Dillon*, in the Jurisdiction of
"(Blank) aged 35 Years, Height 5 Feet one
"Inch and a half; Chestnut colour'd Hair, blue
"Eyes, and pretty much sunk in his Face,
"and very meagre Countenance: Given at *Be-*
"*thune*, Dec. 25. 1741. Sign'd *Morris*.

"Counter sign'd by us Lieutenant Colonel
"commanding the Regiment of *Dillon*, *Gavon*;

"Certified by us Captain Adjutant of the Re-
giment of *Dillon*, *O'Hara*."

Prisoner. This is nothing but what they have invented themselves, when he called me out of the Room, he bid me give him 6 d. to pay the Reckoning. Guilty, Death.

23. † *Margaret* (the Wife of *James*) *Strider*, was indicted for breaking and entering the Dwelling-house of *James Bocker*, and stealing a Cloth Rockleaur, value 12 s. a Cloth Coat with Brass Buttons, and a Cloth Waistcoat, Jan. 22. Acquitted.

24. *George Whitaker*, was indicted for stealing a Brass Lock Cock, value 9 d. and a Pail, value 9 d. the Goods of *Roger Wadman*, Feb. 8. Acquitted.

25. *Judith Cartey* alias *Cartney*, was indicted for stealing a chequed Apron, the Goods of *Mary Macfarson*; a chequ'd Apron and a Linnen Handkerchief, the Goods of *Judith Macfarson*, Feb. 3. Guilty 10 d.

26. *Joseph Coupee*, was indicted for stealing 2 Bushels of Malt, value 6 s. the Goods of *Richard Staples*, Jan. 20. Guilty.

27. *Edward Porter*, was indicted for stealing a Diaper Table Cloth and a Linnen Sheer, the Goods of *James Kates*, and a Linnen Shift, the Goods of *Jane Wilson*, Feb. 6. Guilty.

28. *Alire* (the Wife of *Edward*) *Riley*, was indicted for stealing a Silver Spoon, value 7 s. the Goods of *Sir Hugh Smithson*, Bart. Feb. 22. Guilty 10 d.

29. *James Palmer*, was indicted for stealing a Pair of Copper Scales, value 2 s. 6 d. the Goods of *Samuel Smith*, Jan. 27th, Guilty 10 d.

30. † *Ann Nelson*, was indicted for stealing 5 Holland Shirts, value 4 l. the Goods of *John Barnsley*, Esq; in the Dwelling House of *John Maybal*, Sept. 28, Guilty 39 s.

31. *William Mills*, was indicted for stealing 4 Brass Patterns, Value 6 s. and 4 Pounds of Brass, Value 1 s. the Goods of *Edmund Bridges*, Feb. 16th, Guilty 10 d.

32. *George Lord*, was indicted for stealing 14 Pounds of Tobacco, value 2 s. the Goods of *Jonathan Forward*, Feb. 15th.

No Evidence appearing, the Prisoner was acquitted.

33. † *John Page*, of *St. Martin Outwich*, was indicted with other Persons unknown, for assaulting *Robert Fawdrey*, on the King's Highway, putting him in Fear, and taking from him a Gold Watch, Value 10 Pounds, Feb. 23.

Robert Fawdrey. On the 22d of this Month, I had been at the *Mourning-Bush*, at *Aldersgate*, and about half an Hour past twelve in the Morning, I was walking very carefully down *Bishopsgate-street*, being a little Lame. I saw nobody in the Street, but very near that Part that is opposite to *St. Martin Outwich Church*, a Woman came up to me, and fastened round my Arm; — my Dear! said she, You look like a good-natur'd Fellow, you will give me a Glass of Wine! I, with an Imprecation, bid her be gone. She said, I am sure you will give me a Glass of Wine, and immediately pull'd my Watch out of my Pocket. I cry'd out Watch; and directly the Prisoner laid hold of me; — the whole Transaction was not so long as I have been speaking. The Prisoner immediately tripp'd up my Heels, and stood over me, and beat my Right Fore-finger in a terrible Manner. I believe it will appear by the Evidence that I shall produce, that this Man and the Woman were found talking together at *Creed-Lane*, about 12 o'Clock. I believe it was a Conspiracy between them, in order to meet the first Man they could, and I was the unhappy Victim of their Intentions.

Q. After you had been tripped up, as you have mentioned, what happened then?

Mr. Fawdrey. I call'd *Watch!* as I had done before, and a Person came up to me, who is the next Witness, *William Palmer Hind*, a Man I never saw before, but fortunately I believe for me, came in to save my Life. When I began to call *Watch* in this Manner, they both left me: the Woman ran up the Street, and the Prisoner ran down it, and was taken by the next Witness.

Pris. Q. Can you recollect what Hour the Woman met with you?

Mr. Fawdrey. Between 12 and 1: — I did not meet with her, ~~she~~ met with me, and came forcibly upon me.

Pris. Q. Was it near a Lamp?

Mr. Fawdrey. It was very near the Lamp, and I knew the Prisoner the Moment he was taken.

Pris. Q. I think you say, before the Man came up, your Watch was taken from you.

Mr. Fawdrey. At the very Instant that my Watch was taken away, my Heels flew up, from whence I apprehend, that the Man was behind me.

Pris. Q. Had you seen the Man before the Woman came up to you?

Mr. Fawdrey. No, nor her neither, for the whole Transaction was but half a Minute.

Pris. Q. Can you guess how near to 12 or 1 this might be?

Mr. Fawdrey. It was so near, that I believe I could say it wanted about a Quarter of one.

Wm. Palmer Hind. On Tuesday Morning, or Monday Night, I will not say, I came from Mr. Darby's in Stationer's-Court. It struck twelve o'Clock, and then the Landlord according to Custom, turn'd every Body out of the House. — I believe it might be a Quarter after when I left the House. I crossed over the Way to the Corner of Creed-Lane, and while I was standing there, I saw the Prisoner and another Man, with a Woman in a white Cloak and a Velvet Hood. One of the Men, who was a tallish Man, cross'd the Way from her, and when he had got about half a-cross, the Woman call'd, *Hog! Hog!* I want to speak with you. He then came to her, and they all went down Creed-lane together. I went on into Cheapside, where I stopp'd to speak to one Dick Foo, a Watchman, after which, I walked pretty leisurely 'till I came beyond the Change. The Prisoner and the Woman in the Cloak then pass'd me. I was not positive which Way they turned, but just as I came to the

Corner of Cornhill, by Bishopsgate-Street, there stood a Hackney-Coach just 'cross the Street. I stopp'd there to make the Coachman drive out of the Way, which being done, I went down Bishopsgate-street; and when I had got 3 or 4 Doors down, I heard a Cry of *Watch!* Hearing that, I mended my Pace, and there is a great Pair of wooden Gates on the Right Hand side of the Way; and next Door to them, I saw Mr. Fawdrey upon his Back. The Prisoner and the Woman in the white Cloak were then upon him: What (said I) are you going to murder the Man? and as soon as I had said that, the Prisoner turned about, and ran over the Way directly: — he ran one Way, and the Woman another. The Prosecutor said he had lost his Watch, upon which, after I had helped him up, I pursued the Prisoner. He ran about as far as the Pump, and then he turned his Back against the Wall, and asked me what I wanted with him? I told him, the Gentleman said he had robbed him of his Watch, and he must go with me. I brought him over the Way, and as soon as Mr. Fawdrey saw him, he said, that is the Man that knocked me down. We then, with the Assistance of a Watchman, carried him to the Watch-house, and there he denied that he knew any thing of the Matter:

Q. to Mr. Fawdrey. What Dress was the Woman in that came up to you?

Mr. Fawdrey. I take it that she had on a Linnen or Cotton Gown, with a light Colour'd short Cloak, and a Velvet Hood.

Pris. to Hind. Had you any Acquaintance with me before this?

Hind. I never spoke to him before to my Knowledge?

Pris. Q. How came you to take such particular Notice of a Man going along the Street, that you can be sure of him when you came to Bishopsgate street?

Hind. Because he then had a blue Handkerchief with white Spots about his Neck, and the same Coat on as he has now.

Pris. Q. Was it dark or light when this happened?

Hind. I can't remember, but there is a Lamp just by the Tavern Door, at the End of Creed-Lane, and another at the Door over-against it.

Pris. Q. What o'Clock was it when you saw them there?

Hind. I believe it was a Quarter after 12, because when the Watch go 12 o'Clock, Mr. Darby always turns the Customers out of Doors, and I only

only staid to pay my Reckoning and finish a Pot of Beer, and then I came away.

Daniel Davis, Watchman, confirm'd the Deposition of *Palmer Hind*, so far as it related to the apprehending the Prisoner.

Thomas Hill, Constable. On *Tuesday* Morning, a little after one, the Prisoner was brought into the Watch-House. Mr. *Fawdrey* gave me charge of the Prisoner, for knocking him down, and rescuing a Person who had robbed him of his Watch. I asked Mr. *Fawdrey* in what Manner this was done, and he related it to me. He told me, he was coming down *Bishopsgate-street*, and a Woman laid hold of him, and asked him to give her a Glass of Wine: He bid her go about her Business, and he then perceived the Watch taken from him; upon which he attempted to lay hold of her, and immediately the Prisoner knocked him down, or struck up his Heels. That as soon as he recovered himself, he called *Watch!* and the Fellow then made off, and was pursued by *Palmer Hind*, who was then coming by, and with the Assistance of a Watchman, the Prisoner was taken. I asked the Prisoner several Questions, and he told me, he was going down on the other Side of the Way, and saw a Man and a Woman upon the Ground. He said, he went over to see what was the Matter, and when the Gentleman cry'd *Watch!* he ran—for Fear of coming into Trouble.

Q. Did he say that he knew the Woman who was there?

Hill. No, he pretended that he knew nothing of her.

It was insisted on by the Prisoner in his Defence, that he had been in Company with two Friends towards *St. Giles's*, 'till late at Night, and that he came from thence with them only towards *Bishopsgate-street*; that as he was going on one Side of *Bishopsgate Street*, he saw a Gentleman and a Woman struggling. That he went away directly, and soon afterwards the Gentleman complained of the Injury, and pursued him.

Thomas Cumber. Last *Monday* Evening, between 7 and 8 o'Clock, the Prisoner and I were drinking at the *Bull Head*, in *White-chapple*. He said, he was going into *Catherine-street*, to receive some Money, and desired me to take a Walk with him. Accordingly I did, and then we took our Departure from thence, and directed our Way Home.

Pris. Q. How long did you stay in *Catherine-street*?

Cumber. I believe we came from thence between 12 and 1: *Joseph Gibbs* was with us. We came directly for the City, and we took our Leaves of the Prisoner at the End of *Bishopsgate-street*, and went towards *White-chapple*. There was nobody at all in Company but we three, and when we parted with the Prisoner, I believe it was about 1 o'Clock, and I saw no more of him that Night. I am a *Shoemaker*, and live in the *Minories*; *Gibbs* lives in *White-chapple*, and I parted with him at the End of the *Minories*. I have known the Prisoner 20 Years, he is a *Butcher*, and I have bought Meat of him lately. He does not keep any Shop, but carries it about in a Tray. I never heard no ill Character of him, but he seems to take an industrious Care for his Bread. — I live in *Well-Court*, just by Mr. *Fowler's* the *Barber's*.

Q. Did you not go into *Creed-Lane* as you were going Home?

Cumber. No, I don't know *Creed-Lane*, but we turn'd down no Lane at all.

Joseph Gibbs. I was in Company with *Cumber* and the Prisoner at a Shop like a *Chandler's* Shop in *Catherine-street*:—it was pretty near 9 o'Clock, and we staid there till a little after 12. From thence we came with the Prisoner alone to the End of *Bishopsgate-street*, and there parted with him. There was no Woman in our Company, and we turn'd down no Street at all till we came to *Bishopsgate-street*, where we parted with the Prisoner, and went on directly towards *Whitechappel*. I believe it was then very near 1 o'Clock, if not quite. As to the Prisoner's Character, I have known him 20 Years, and never heard any Body give him an ill Character.

Thomas Dunn. On *Monday* last about 1 o'Clock, I was coming from the *Yorkshire-Grey* in *Gravel-Lane*, and just as I was going to cross to *Thread-needle-street*, I heard a Person say, *Stop her, I have lost my Watch!* Presently a Woman ran by, as fast as if she had Wings, and I saw another Person like the Prisoner, and he was taken hold of. The Mob then began to gather, and I went Home, and saw no more of it.

John Kitchen, *Samuel Lewis*, and *James Cooper* appeared to the Prisoner's Character.

William Hookham. I have known the Prisoner by Sight a great while. His Character is that of a common *Sharper*, and in general 'tis very bad. Acquitted.

34. *Thomas Twist*, was indicted for stealing a Heifer's Hide, value 11s. the Goods of *John Remington*, Feb. 2, Guilty 10d.

35. *John*

35. John Abbidge, was indicted for stealing 100 Sheets of Paper, on which was printed Part of the Works of the Learned, for *March 1737*, and divers other Books, the Goods of *Richard Alanby*, *Feb. 5*. Guilty 10*d*.

35. Robert Bason, was indicted for stealing 2 Books called the curious Traveller, value 5*s*. and a Book called a Mechanical Account of Poisons, value 2*s*. the Goods of *John Roland*, *Feb. 8*. Guilty.

36. Thomas Fitch, was indicted for stealing a Gold Watch, and several other Things, the Goods of *Mary Eagle*, *Oct. 23*. Acquitted.

37. John White, was indicted for stealing a Hat, value 20*s*. and a Peruke, value 10*s*. the Goods of *George Palmer*, *Jan. 25*. Acquitted.

38. Joseph Bowers, was indicted for stealing 18 Quire of Paper, value 4*s*. 6*d*. the Goods of *Charles Charley*, *Feb. 13*. Guilty 10*d*.

39. † Thomas Handley, of *St. Giles in the Fields*, was indicted for that on the 3*d* of *June*, in the 14*th* Year of his Majesty's Reign, and long before, one *James Macdurmot* was an Inhabitant in *St. Giles's in the Fields*, and then near a certain Place called *Lincoln's-Inn-Fields*, did keep a Coffee-House, known by the Name of *Adlam's Coffee-House*; and that the said *Macdurmot* was, and yet is, as well known by the Name of *James Durmot* as *James Macdurmot*; and that he the said *Handley* well knowing the Premises, but not regarding the Laws, &c. afterwards, on the 3*d* of *June*, did cause and procure a certain Person unknown, personally to appear before Sir *Thomas Abney*, then and now one of the Barons of his Majesty's Court of *Exchequer*, in the Name and Description of *James Durmot*, of *Adlam's Coffee-House*, to acknowledge himself indebted to our Lord the King, in the Sum of 186*l*. on Condition that if the said *Handley* should appear to satisfy all that should be required of him on an Information exhibited against him by Sir *Dudley Rider*, &c. or in Default thereof, if the said *Handley* should surrender himself, then this Obligation to be void, or else remain in full Force, &c. the said *James Macdurmot* not being privy thereto, to the great Damage of the said *James*, and against the Form of the Statute, &c.

The Council for the King having open'd the Indictment, and the Nature of the Offence, the Witnesses were called.

Mr. Charles Ayres. I am one of the Attornies of the *Exchequer-Office* in the *Temple*; this in my

Hand is an Information in the Name of his Majesty's Attorney; I had it from the King's Remembrance Office.

The Information was read, and was in Substance as follows, viz.

Dated *Easter-Term*, 14*th* of his present Majesty; Be it remember'd that Sir *Dudley Ryder*, &c. in his own proper Person presents, that certain Merchants unknown, did between the first of *May 1738*, and the Day of exhibiting this Information, import to *Ratcliff* within the Port of *London*, in a certain Ship by Way of Merchandise, 346 *lbs*. of Tea, 4 *lbs*. and half of Coffee, 51 Yards of Handkerchiefs, the whole amounting to the Value of 186*l*. 1*s*. the said Goods being liable to the Payment of Custom; and that the said Merchants did unship and land the said Goods before the Customs and other Duties were paid, &c. and that the said Goods afterwards came into the Possession of *Thomas Handley*, he well knowing every Part of them to be imported, the Customs not being paid, against the Form of the Statute, &c.

Counc. What is that other Parchment in your Hand?

Mr. Ayres. This is the Bail-Piece; it was taken before Sir *Thomas Abney*, who sign'd it twice in my Presence; first to the taking it, and then to the Justification. One *James Durmot*, and one *Mr. Dowling*, both swore in my Presence that they were worth 186*l*. and that they were Housekeepers.

[The Recognizance was read.]

Counc. Was there any Notice given to you before this Recognizance was enter'd into, of Bail to be put in by the Prisoner?

Mr. Ayres. Yes, I was employ'd by *Mr. Norton* for the Prisoner, and I have the Notice in my Hand. *Mr. Norton* gave me the Notice, and I prepar'd a Bail-Piece accordingly. It was in order to put in Bail for the Prisoner, on an Information exhibited against him by *Mr. Attorney General*, for treble the Value of a Parcel of run Goods, upon the Statute of the 8*th* of the Queen.

Counc. Did you give Notice to the Solicitor of the Customs?

Mr. Ayres. No, the Solicitor for the Defendant generally gives it. I can't take the Bail except it is approv'd of, and here the Notice is endorsed.

† This Offence was made Felony by a Statute in the 21*st* Year of James I.

It was read.

To Mr. Metcalfe, Solicitor of the Customs. -

Attorney General against *Thomas Handley* by Information; Bail for 1861. Sir, Bail proposed for the Defendant in the above named Cause, are *Robert Dowling* of *Gray's Inn*, Gent. and *James Durmot* of *Adlam's Coffee-House Lincoln's-Inn-Fields*, near the Duke of *Newcastle's House*. May 21, 1741.

Your Humble Servant,

Hen. Norton.

Mr. Ayres. It is indorsed — Mr. Metcalfe does not object to the Persons within mention'd, provided they justify before a Baron, *J. Tyton*, for Mr. Metcalfe.

Counc. Who is Mr. Tyton?

Mr. Ayres. He is Clerk to Mr. Metcalfe: I have seen him write ten thousand Times, and I take that to be his Hand.

Pris. Ask Mr. Ayres whether I was in the Baron's Chambers?

Mr. Ayres. He went before me to the Baron's Chambers, and asked me whether it was necessary for him to go up? I told him he might do as he pleased, and I think he staid below Stairs.

Pris. Q. When this Matter was first mov'd in the Court of *Exchequer*, did not I attend without an Order?

Mr. Ayres. I believe he did; — I really can't say, but I believe there was an Order made for him to attend, and upon his Attendance the Court order'd him into Custody.

Heneage Norton. About the 20th of May, the Prisoner came to my House in *Friday-street*, and told me he had been arrested for running Goods, and that he wanted to give Bail to an Information. He inform'd me that he was recommended to me by Mr. *Russel* in the *Temple*. I then told him he must get two honest Persons to propose to the Solicitor of the Customs. He said he was a Stranger in Town, but he believ'd he could get Friends; and accordingly he came to me sometime afterwards, and gave me this Paper on which are written the Names of *Robert Dowling* and *James Durmot*. He told me it was his own Writing, and those were the Persons who would stand as his Bail. Upon that, I wrote the Note which has been read, and gave it to Mr. Metcalfe's Clerk; and Mr. Metcalfe inform'd me that those Persons were not sufficient, I

told the Prisoner of it, and he said *Dowling* was a Relation of his, a Man of Fortune, and lived in *Grays-Inn*; and that *Durmot* was a Man of good Repute, and liv'd at *Adlam's Coffee-House*. I inform'd Mr. Metcalfe of the Prisoner's Answer, and he then said that *Dowling* was an ancient Man, but however if they would justify, he would have no Objection to them. - I then gave Mr. Ayres this Note that has been read, and desir'd him to get the Bail Piece ready, and likewise desir'd the Prisoner to attend me at the *Exchequer-Office*, or at *Brown's Coffee-House* hard by, any Time that suited his Convenience, and he said he would bring the Bail with him. Accordingly he came to me as I was at the Office-Door, and told me the Bail were ready, and were waiting at a Public House in *Wyck-street*. I desir'd him to bring them down to the Office, and soon afterwards Mr. *Russel* told me, that *Handley* and his Bail were come to a public House just above *Brown's Coffee-House* in *Mitre-Court*, and that they desir'd I would come and read the Bail-Piece to them. When I came there, I saw two Men, who answer'd to the Names of *Robert Dowling* and *James Durmot*, and then I read the Bail-Piece to them: the Prisoner, to the best of my Knowledge was present all the Time. I told them the Consequence of it, and that they might sign it there if they pleased; upon which they took a Pen and Ink, and I observed that the old Man (*Dowling*) wrote a very good Hand. From thence I took them to the *Exchequer Office* to Mr. Ayres, and I told him those were the two Persons who had sign'd the Bail-Piece, and desir'd him to go with them before the Baron.

Counc. Did you go with them before the Baron?

Mr. Norton. No, the Prisoner and the rest went together, but I staid at the Office till Mr. Ayres came back. This is the Recognizance which I read to them, and I saw the two Persons sign it in the Names of *Robert Dowling* and *James Durmot*.

Pris. Ask him if I did not bring him Money to the *Exchequer-Office*?

Mr. Norton. I told him in Matters of this Nature, I was oblig'd to give the Clerk in Court 40 s. and I expected some Money of him before the Bail was taken; this was before the Bail Piece was sign'd; and he was not gone five Minutes before he brought me 4 Guineas.

Pris. Q. Did not you ask whether *Durmot* was the Master of that Coffee-House?

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Mr.

Mr. Norton. I asked when I went in whether *Dowling* and *Durmot* were not there, and they both answer'd.

George Russell. About the Beginning of *June* last, the Prisoner came recommended to me, and told me he had been taken up on an Information, and came up to *London* to put in Bail, upon which I recommended him to *Mr. Norton*. He told me one *Mr. Dowling* would become his Bail, and likewise one *Durmot* of *Adlam's* Coffee-House; but after that, he said there was some Difficulty with the Coffee-Man, and he was afraid it would not do. Instructions were afterwards sent to me, and I wrote this Bail-Piece by *Mr. Ayres's* Order. I was likewise present when the two Bail subscrib'd it; — it was at a Public House called the *Vine*, just by *Brown's* Coffee-House, and I saw them sign their Names; *Mr. Norton* was present at the same Time; I gave him Notice that they were there. *Mr. Dowling* I have known many Years by Sight, and he sign'd first: the other Man I did not take much Notice of, but I saw him write — *Durmot*, after it had been read over to them by *Mr. Norton*.

Counc. Was the Prisoner present?

Russel. I think he was, but I can't be positive so that. After this when we were coming out of the House together, *Mr. Norton* asked me in the Passage for the Fees: I told the Prisoner of it, and he ran away to get the Money, and in a few Minutes brought it to *Mr. Norton*.

Counc. Did you go with them before the Baron?

Russel. No, I went no farther than the End of *Mitre-Court*.

Counc. How came you not to see *Durmot's* Face?

Russel. I had no Curiosity, for I apprehended him to be the Man of *Adlam's* Coffee-House.

James Macdurmot. I have kept *Adlam's* Coffee-House about a Year and 3 Quarters to the best of my Knowledge. I never was Bail for any Person, nor ever sign'd any Recognizance.

Counc. Look upon that Recognizance, and tell the Court whether you ever sign'd it in one Part or another?

Macdurmot. No, I never did: I always spell my Name — *Macdurmot*, but the *English* call me — *Durmot*. About the middle of *May* last, the Prisoner and one *Conrade* came to my House and called for Coffee, and other Liquors. *Conrade* called me into a Back Room, and told me there was a poor Man accused on Account of some run Goods, therefore desir'd me to bail him. I told

him if it was my own Brother I would not; and sometime afterwards I heard that somebody had bailed the Prisoner in my Name.

Counc. How came you to hear of this afterwards?

Macdurmot. One of my Neighbours informed me that some Persons had been to enquire my Character, and whether I was worth 186 l.

Mr. Ayres being ask'd whether this Witness was the Person who went with him to the Baron's Chambers, answer'd in the Negative.

Counc. to Mr. Norton. Was that the Person who sign'd this Bail-Piece?

Mr. Norton. I can't take upon me to say whether he was or not.

Mr. Russell. I can't say whether he is the Person, — I took no manner of Notice of him.

Macdurmot. I always take my Receipts in the Name of *Macdurmot*, but a great many People call me *Durmot*.

Counc. Did the Prisoner ever ask you to be bail?

Macdurmot. No, not that I remember.

Pris. Q. Did you never consent that Bail should be put in in your Name?

Macdurmot. No, I never did.

Pris. Q. When this Matter became public did you never declare, that you would deny it and that you would hang one, and transport the other?

Macdurmot. I never did.

Pris. Q. Did not you employ *Mr. Willisot* to draw a Bond of Indemnity?

Macdurmot. *Dowling* came to my House with a View of making it up, and I not knowing any Thing of the Law, went to that Gentleman's House to ask his Advice, and he would not have any Hand in the Action. I desired one *Mr. Crosby* to ask *Mr. Tomlin* if Bail was put in, and at that Time it was not; but afterwards I heard that Bail was put in, in the Names of *Dowling* and *Durmot*.

Pris. Q. Have you not a Brother?

Macdurmot. Yes, his Name is *Brian Macdurmot*; I believe he knew as much of the Prisoner as I did.

Pris. Q. Was I a Stranger to you when *Conrade* came to your House?

Macdurmot. Yes, and he did not go into Room with us.

Thomas Dennis. I was ordered to enquire *Macdurmot's* Character. I asked for him by Name of *James Durmot*. I enquired of 3 or 4 People, and every one of them knew him.

that Name. I was told by them, that the Person who kept *Adlam's Coffee-House*, was *James Durmot*.

Council. How came you to enquire after him?

Dennis. I belong to Mr *Metcalf*, and had Notice given me to enquire after him, because he was proposed for Bail for *Thomas Handley*. I am acquainted with Mr. *Tyson's Hand*, and I take this to be his writing: When Bail is proposed, this is the usual Way of signifying their Consent.

Pris. Did you not enquire whether the People knew who kept the Coffee-house?

Dennis. I shewed them the Note in which was written *James Durmot* of *Adlam's Coffee-House*, and they said they knew him.

Pris. Did you ask for *Durmot* singly, or *Durmot* of the Coffee-house?

Dennis. I might ask both ways. I likewise enquired *Dowling's* Character of a Porter at *Gray's-Inn-Gate*, and told him, he was propos'd for Bail, and the Porter said, he would go and ask him whether he would be Bail or no, perhaps he might get 6 d. or 1 s. by the Job.

Pris. What answer did he bring?

Dennis. I can't tell, I believe he delivered it to Mr. *Tomlin*.

Samuel Green gave an Account of his enquiring for *Durmot*, and that he asked at *Adlam's* Coffee-house whether one *Durmot* lived there, and was answered by the Woman of the House that he did.

Pris. What Reward had you for going upon that Enquiry?

Green. None at all; I belong to Mr. *Graves*, who carries on this Prosecution, and have not had so much as Money with my *Subpoena*.

DEFENCE.

It was urged on Behalf of the Prisoner, that he being arrested in the Country, came up to Town, and was recommended by *Russel* to Mr. *Norton*; and it being necessary to put in Bail, he propos'd his Uncle Mr. *Dowling*, and having some Acquaintance with *Conrade*, who knew Mr. *Durmot*, they went together to *Durmot's* House. That *Conrade* went out of the Room with *Dowling*, and sometime afterwards, *Conrade* sent him (the Prisoner) Word, that *Durmot* would become his Bail; and accordingly a Person came with *Durmot's* own Brother, and that the Bail-piece was then sign'd.

Robert Dowling. There came a Porter to me, belonging to *Gray's-Inn*, to desire me to bail the Prisoner. I said, I would, because I knew him,

and I thought he would surrender himself in discharge of his Bail! The Porter informed me, that he was sent by Mr. *Metcalf*, and if I would stand as one of his Bail, the Man at *Adlam's* Coffee-house would stand with me. Accordingly the Prisoner sent me a Messenger to meet at the *Swan* in the *Butcher-Row*, and while I was about some Beef-Steaks, he came in. There were several People there, and one of them they told me was Brother to *Macdurmot*, and there was another who took upon himself to be *James Durmot*. While we were there, Mr. *Russel* brought in the Bail-piece, and I read it over to them.

Q. Was that Man (*Macdurmot*) the Man that din'd with you?

Dowling. No, the Man who dined with us, and who called himself *James Durmot*, was taller than this Man. We adjourned from the *Swan* to the *Vine*, in *Mitre-Court*, where we sign'd the Bail-piece. I sign'd it first, and then the other Man sign'd it by the Name of *James Durmot*.

Q. Was the Prisoner present then?

Dowling. He was in and out, but whether he was present then or not, I can't tell. I have heard that he served a Bookseller, a Brother of mine 14 or 15 Years very honestly. I never saw him till May last; when he came up to *Liverpool* to discharge his first Bail, and I took it very well of him that he had so great Regard for his Bail.

Counc. Did the Prisoner go with you to the Judges Chambers?

Dowling. He went with us as far as *Brick-Court*, but whether he went up or not I can't tell.

Counc. When you were at the House in the *Butcher-Row*, who told you that the other Person was *James Durmot*?

Dowling. I was told so by the Prisoner: I understood by him and the rest of the Company, that he was the Man. There were in Company one *Nethan*, and a Man in a red Waistcoat, and one *Molloy*.

Counc. Do you know that *Durmot's* Brother was there any otherwise than as you heard?

Dowling. No. The two *Durmots* came in while we were at Dinner, and I believe they were directed to us, but by whom I can't tell. After we had given Bail, we all agreed to go to *Durmot's* Coffee-House, to take a Glass, and I followed them thither. We sat in the public Room, and all the Persons who were there, knew we had put in Bail. This Man (*Macdurmot*)

Mr. Norton. I asked when I went in whether *Dowling* and *Durmot* were not there, and they both answer'd.

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Dowling. He was in and out, but whether he was present then or not, I can't tell. I have heard that he served a Bookseller, a Brother of mine 14 or 15 Years very honestly. I never saw him till May last; when he came up to *Liverpool* to discharge his first Bail, and I took it very well of him that he had so great Regard for his Bail.

Counc. Did the Prisoner go with you to the Judges Chambers?

Dowling. He went with us as far as *Brick-Court*, but whether he went up or not I can't tell.

Counc. When you were at the House in the *Butcher-Row*, who told you that the other Person was *James Durmot*?

Dowling. I was told so by the Prisoner: I understood by him and the rest of the Company, that he was the Man. There were in Company one *Nethany*, and a Man in a red Waistcoat, and one *Molloy*.

Counc. Do you know that *Durmot's* Brother was there any otherwise than as you heard?

Dowling. No. The two *Durmots* came in while we were at Dinner, and I believe they were directed to us, but by whom I can't tell. After we had given Bail, we all agreed to go to *Durmot's* Coffee-House, to take a Glass, and I followed them thither. We sat in the public Room, and all the Persons who were there, knew we had put in Bail. This Man (*Macdurmot*)

not) was not in our Company, but served us with Liquor as we called for it.

Q. Had the Brother of *Durmot* any Conversation with the Master of the House?

Doewling. No, none that I know of.

Francis Moron, *Robert Dillon*, and *Thomas Meighan*, gave the Prisoner the Character of an honest Man.

The Jury withdrew to consider of their Verdict, and after some Time returned, and found the Prisoner, not Guilty.

40. *George Cheek*, was indicted for stealing a Silver Dog, Value 12 s. the Goods of *Christian Heland*, in his Shop, Jan. 23d, Guilty 10 d.

41, 42, 43. *Thomas Bird*, *Nathaniel Nichols*, and *Robert Nichols*, were indicted for stealing 75 Pounds of Lead, belonging to a Pump, Value 25 s. the Goods of *Joseph Close*, Jan. 11. All Guilty 4 s. 10 d.

44. *John Shambler*, was indicted for breaking and entering the Dwelling-House of *The Cartwright*, Esq; and stealing two silk Gowns, and other Things, the Goods of the said *Thomas Cartwright*, Esq; *Alice Bass*, and *Mary Phillips*, Dec. 8, Guilty, Felony only.

45. *Jane Price*, was indicted for privately stealing a Silver Watch, value 40 s. from the Person of *John Paine*, Feb. 1.

John Paine. I was in the House of one *Robert Castle* in *Holford's Alley*, with an Acquaintance of mine who was almost drunk, and he wanted to lay himself down. I was afraid to leave him, so I sat down myself, and fell asleep by the Prisoner's Side. She sat on my left Hand, and another young Woman who is here, sat on my Right:—I was neither drunk nor sober,—I was between both. This was about 10 or 11 in the Day Time, on a Monday Morning;—we had been strolling about all Night. After I had missed my Watch—I did not charge the Prisoner with it, for I locked all the People up together in the House for fear they should run away.

Elizabeth Spore. I saw the Prisoner lean towards *John Paine* as he sat by the Fire, and take the Watch out of his Pocket,—upon my Word. I never saw the Watch after that; but he lock'd us all up about it. Acquitted.

46. *Daniel Bellantine*, was indicted for stealing 4 Weather Sheep, value 4 l. and one Lamb, value 7 s. the Property of *Samuel Child*, Esq; And,

47. *Thomas Sarsnet*, alias *Sarsen*, for receiving the same, knowing them to be stolen. Both Acquitted.

48. *Barbara Dalloson*, was indicted for stealing a Silk Handkerchief, value 2 s. 6 d. and divers other Things, the Goods of *Thomas Arthurs* and *Hannah Neal*, Jan. 18. Guilty 10 d.

49. *Mary Biggs*, was indicted for stealing 6 Brass Arms, Sockets and Nossels, value 20 s. belonging to the Company of Moneyers, Feb. 4. Guilty.

50. *John Smith*, was indicted for stealing 3 Bullocks, value 6 l. the Property of *Edmund Sagger*, and one Bullock, value 35 s. the Property of *John Harvey*, Feb. 1.

Edmund Sagger. I took the Prisoner with two of my Beasts, and one of my Neighbours;—he was driving them along a Lane near *Endfield Wash*, which is about a quarter of a Mile from the *Chace* where I put them to graze. I asked him where he had them and he said, he was going with them to *Essex*, to put them out to keeping. He told me he bought them of a Man at *Belbar*, who had several more to dispose of. We secur'd the Prisoner, and went to *Belbar* to see for this Man, but no such Person was to be found.

John Harvey. The Prisoner told me, that he bought the Bullocks at *Belbar* at one *Abram Fellows's*, at the *White-Hart*, of one *John Jones a Welchman*;—they were small *Welch* Cattle, and he said he gave 32 s. 6 d. a Head for them. I being a Headborough, took him before his Majesty's Justice of the Peace, and he himself was at the Charge of pawning a Stock-Buckle for 3 s. to send a Man to *Belbar*.

Samuel Parker, Constable. Last Monday was 3 Weeks, I was at the *Nag's-Head* when the Prisoner was brought in by the Headborough. He said he bought the Beasts at *Belbar*. At his Desire *Sagger* and I went to *Belbar*, and found his Story to be false. As we were carrying him to *Newgate*, he own'd he committed the Fact, and wished he might die before Sessions came on. Guilty.

51. *Benjamin Hodges*, was indicted for stealing a Dozen of Steel Pencil Cases, val. 4 s. and 5 Dozen of Steel Cane Rings, value 2 s. 6 d. the Goods of *Samuel Wallis*, in his Shop, Feb. 1. Acquitted.

52. *Jane Barker*, was indicted for stealing several Gold Rings, the Goods of *John Child* and *Martha Child*, in the Dwelling-House of *John Child*, Feb. 24. Acquitted.

53. *John Head*, was indicted for stealing a Firkin of Small Beer, value 4 s. 6 d. the Goods of *William Cross*, Esq; Jan. 18. Guilty.

54. *James*

54. *James Cunningham*, was indicted for stealing a pair of Men's Shoes, value 3 s. the Goods of *Francis Allen*, Jan. 25. Guilty!

55. † *Eleanor Berham*, was indicted for breaking and entering the House of *James Thompson*, and stealing a Cloth Coat, 7 Holland Shirts, and divers other Things, the Goods of the said *Thompson*, Dec. 24. Acquitted.

56, 57. † *Elizabeth* (the Wife of *Robert*) *Carter*, and *Elther Cooper*, were indicted for assaulting *Abram Dudley*, in the House of *Robert Carter*, putting him in Fear, and taking from him a Silver Watch, value 20 s, Feb. 21.

Dudley I happen'd to fall among this Parcel of Women on Sunday Night last, about 9 o'Clock. Three of them stood at the End of *Thatch'd Alley*, in *Chick Lane*. One of them laid hold of me on one Side, and another on the other, and one behind me pulled me into the Entry. They took me into a Place on the right Hand Side, but fearing I should make too much Noise there, they carried me up one pair of Stairs. When we came there, there were four or five People besides the two Prisoners; and *Cooper* hit me a Knock on the Face first, and took my Stick from me. Then they began to try for my Watch, I therefore kept it in my Hand, and twisted the String round my Finger; but they bit my Fingers to make me let it go, and then I put it into my Bosom. Upon this they threw me upon the Bed, and with the Assistance of 2 Men, took the Watch from me.

Thomas Ward, Constable. On Sunday Night about a quarter after 10 o'Clock, I came into the Watch-house, and the Prosecutor told me he had been robb'd in *Thatch'd Alley*. I took two Watchmen with me to the House, and when I came into the Ground Room, there was a sick Child there. We went into the upper Part of the House, and met with no body, but when we came into the Ground Room again we saw the Prisoner *Cooper*. The Prosecutor no sooner saw her, but he said she was one of the Persons who assisted in taking his Watch. Accordingly we laid hold of her; — there was a Man in the House whom we likewise took to the Watch-house, but the Prosecutor not swearing positively to him, I discharg'd him. When *Cooper* was brought in, she desir'd that we would go and search on the Bed for the Watch, and we accordingly did, and found it under the Coverlid of the Bed.

A Watchman. I went along with my Master *Ward* to *Carter's* House, — the Prosecutor

shew'd us the House, and we found *Cooper* in the Ground Room; and in the one pair of Stairs Room we found the Prosecutor's Stick. There was a Map in the House, and my Master order'd me to take *Cooper* out while he examin'd him; and then *Cooper* said it was hard she should suffer, for she was innocent, and she asked me if we had look'd on the Bed, for perhaps the Man might drop the Watch there. My Master and I afterwards found it on the Bed under the Rug.

Pris. Carter. Ask the Prosecutor whether I brought him into the House?

Dudley. No, I believe Mrs. *Carter* was not concern'd at first, but came into the Room afterwards: — She came about the middle of the Fray, when I had four upon me; and she held my Hands, or did something that Way, as the rest did.

Carter. Ask the Watchman whether I keep the House?

Watchman. It always goes in her Husband's Name; they live in the lower Apartment; I can't tell whether they have the whole House.

Francis Carter. *Elizabeth Carter* was in my Company at *David Brock's* in *Thatch'd Alley*, from half an Hour after 7 till within a Quarter of eleven.

Rebecca Bristol and *Sarah Sheriff* never heard any Harm of *Carter* before.

Elizabeth Brocas. *Carter* came into my Room that Night, about 8 o'Clock, and I don't know that she was out of it till almost eleven: — She brought a Bit of Meat, and sat down and eat it, being a Neighbour.

Robert Harrison. All I have to say is, that I have known her 16 or 17 Years, and she always was industrious and careful.

Ann Clayton. I know both the Prisoners to be very honest Women.

Mary Cecil. I have known *Carter* a great while, and know no Harm by her, but — that she is a Neighbour of mine, and never saw an unhand-some Word come out of her Mouth. I heard the Prosecutor say in the *Old Bailey Yard*, that he believed he had taken a false Oath, and they were not the Women, but he would keep them confined till he found the right Persons: — he said so upon my Oath.

Prosecutor. I never said any such Word.

John Cooper. I was in *Carter's* Company from 8 o'Clock till about 11: — I took Notice of it because I was along with a *Smith*, and he did not leave Work till 8 o'Clock.

Elizabeth Cooper. I have known *Cooper* from a Child, and never heard no Harm by her.

Mary Beard. I have known *Carter* about 5 or 6 Years: she was a good Neighbour and an honest Body as far as ever I heard.

Robert Harrison. *Carter* has nothing to herself, but the lower Apartment in the House; — I am upon Oath, and God forbid I should take a wrong Oath Both Acquitted.

58. † *Christopher Peterson*, alias *Petersfield*, was indicted for privately stealing 12 Pair of Leather Shoes, value 36 s. two Pair of Calamanco Ditto, Value 6 s. the Goods of *Jonas Rogers*, in his Shop, Feb. 20th. And,

59. *Jane Hale*, for receiving and housing the said *Peterson*, knowing him to have committed the aforelaid Felony.

Jonas Rogers. I live in *Lemon street, Goodman's-Fields*. On *Saturday Night* last, I had been out, and when I returned, I found my Wife in a great Surprise, and some Neighbours informed me that they had seen three Men in my Shop. I missed the Goods mentioned in the Indictment, and therefore got a Warrant to search a House which I suspected, at *Saltpeter-Bank*. When we went in, we found the Prisoner *Hale* there, — it was her House, and the Gentlemen drew their Swords and Daggers, and threatened our Lives. There were three Thieves, and four Women there: *Hale* was one of them, and she gave the Men the Key to get the Weapons, in order to drive us out of the House.

Mary Wiffingham. On *Saturday Night* about Dusk, I was going Home towards *Whiterhapple*, and saw the Prisoner *Peterson*, at this Gentleman's Door; — he keeps a Shoemaker's Shop. There was another Man in the Entry, who seemed to be opening the Hatch. I keeping a stand in *Rag Fair*, knew these People bore a very bad Character, and was 'frighted; and so I went to my Neighbour's House, and told her I believed the Gentleman would be robbed; upon which, she left her Shop and went to see them.

Elizabeth Pretty. The last Witness came to my Shop, and told me, my Neighbour was like to be robbed, and I went and saw the Prisoner and two more, who have made their Escapes. I met *Peterson* and another, as I was going to tell my Neighbour. The other Man had an Apron as full of something as it could hold. I had been threaten'd by these Men before, therefore durst not take any Notice of them; but I went to my Neighbour *Mrs. Rogers*, and told her

that her House was beset by Thieves: She started up as I was talking to her, and out started a Man from the same Side as my Neighbour sells his Shoes on. *Mrs. Rogers* got up immediately, and said, she was robb'd and undone, and fell into Fits presently.

Pris Peterson. Did you ever know me to be a Thiet?

Pretty. I detected him once in taking a whole dozen of Stockings from a Neighbour; there were three of them, and I am sure he was one of them.

Nicholas Abel. The first Proceeding of coming into the Thing was, that I was robbed last *Friday Night*. I happened to be along with a Customer in my Way of Business, and my Wife came to me, and told me, my Shop had been robbed. On *Saturday*, about 7 at Night I was informed, that *Mr. Rogers* had been robbed much in the same Manner as myself, a little after Candle-light, and therefore went to his House, and thought by our going together, we might meet with the Thieves who had robb'd us. He happened not to be at Home then, but on the *Monday* following, we took out a Warrant to search *Hale's* House. When we came in, there were the Prisoner and two more, who were the three Thieves of whom we had Information. One of them I knew by Sight, because he is the Captain of *New Prisons* Son, I told the Constable — there was his Prisoner, and then one of them said, — *D— you have is a Search Warrant! Why don't you give me the Key?* Upon that, the Prisoner *Hale* put her Hand into her Pocket, and he made Use of a great many vile Expressions, and took the Key from her, and said, he would shew us what we came to search for. He open'd a Closer, and took out a Sword and two Daggers, or other dangerous Weapons, and after they had each taken one, he cried, — *Now clear the House, or else D— you, I will pin you up, or cut you down directly!* Upon that, we having nothing to defend ourselves, the Constable went out first, and we being in Danger, were very ready to follow: — My Wife was the last in the House. The Prisoner took the shortest Weapon of the three; — they were all ready drawn in the Closer, and he held it up as if he was making an Offer to push at us. We told them, we had a search Warrant when we went into the House; — that was the first Thing we mentioned: the Woman (*Hale*) was there at the same Time. After they had turned

us out of the House, they all made their Escape backwards, and in a turning by *Grace's Alley*, I saw the three Men together. I caught hold of the Prisoner *Peterfon*, and a Knife was taken from him, which is here to be produced, which is not a proper Thing for People to carry about them. This is the Knife, and I found it open in the Prisoner's Pocket. — It appeared to be a French Knife about a Foot long.

Wm. Wiman. We went with a Warrant to search the House, and a tall, thin Man, almost 6 foot high, asked me what I wanted : — It was the Prisoner *Hale's* House, she owned it was hers before the Justice. I told them I had a Search Warrant, and they would not give us Time to shew it them, for the tall Man *Cavanab*, called the Woman B——h, for some such Thing, and ask'd her for the Key, and said, he would shew us something; after which, he pulled out a Sword, and swore he would flick me.

Q. Had *Peterfon* any Weapon delivered to him?

Wiman. I can't tell what Weapon he had, for when the other Man pushed at me, I turned my Head. The Prisoner *Hale* was there all the Time, for she gave them the Key to get the Arms.

Ann Abel. I am Wife to *Nicholas Abel*, and went with him and the others to *Hale's* House in *Saltpetre Bank*. The Constable was going to knock at the Door, but a Woman came out, and we got in without any Resistance. There were three Men sitting in the Kitchen, — *Peterfon* was one, the Captain of *New-Prison's* Son another, and a Man in a grey Coat was the other. *Cavanab*, the tallest of the three, asked us what we wanted? *Rogers* and the *Headborough* told him, they had a Search Warrant. Upon that, he ran up Stairs, and left *Peterfon* and the other in the Room. We heard a rustling above Stairs for 2 or 3 Minutes, and then *Cavanab* came down and damn'd the Prisoner *Hale*, and bid her give him the Key; upon which he said, — D——n them, I will shew them what they search for. He then opened the Closet, and took out three drawn Weapons, one of them was longer than the others, and that he kept for himself, and gave the others to the Prisoner *Peterfon* and the other Man. He told us, if we did not quit the House that Moment, he would stick us against the Wall. The first Man that turn'd his Back was the Constable, and the others were very

ready to follow him. I let my Husband go out first, because I thought they would not hurt me, and *Cavanab* swore if I did not go out, it should be the worse for me. When *Peterfon* was apprehended, I saw my Husband take this Knife out of his Pocket.

Peterfon. This Woman (*Hale*) used to wash Shirts for me, and I went to her House to get one. I had ben at Sea, and thought these People were coming to press me, therefore I took this Knife to drive them out of Doors.

Hale. I desired these People to search every Corner of the House a great many Times.

Both acquitted.

6c. *Susannah Kelly*, was indicted for stealing five 36 s. Pieces, 2 Moidores, 2 Guineas, 2 half Guineas, and a *Porto-Bello* Medal, value 4 s. the Goods and Money of *James Ottiwell*, in the House of *George Needham*, Jan 8.

Ottiwell. I was coming from the *Rammer* in *Chancery-Lane*, towards *White chappel*, and was stopp'd by the Prisoner at the End of a Court in *Fleet street*, she took me by the Hand and asked me to drink a Glass of something; I told her I could not drink; why (said she) if you will not treat me, I will treat you. Upon that, she took me to a House, the Stairs of which open into the Court, and there we had Cherry-Brandy and other Liquors, and then—she pick'd my Pocket of upwards of 20 l. I felt her Hand in my Pocket, but she was too quick for me, and ran down Stairs immediately. I pursued her into the Court, and a Man struck me on the Breast in Order I suppose to stop me.

Pris. Ask him whether he was not very much in Liquor when I was carried to the Watch-house?

Ottiwell. I was in Liquor when I went into the House; but the Fright made me sober.

—*Kingsley*. The Watchman brought this Man to the Watch-house, and said he had been robb'd. When the Prisoner was taken she was not search'd, for the Watchmen said, as the Money was lost in *Needham's* House it was secure, for it is a notorious House.

Pris. I had been to *Leicester fields* to stand God-mother to a Child, and was coming from thence with some People between one and two in the Morning, I parted with my Company at *White-Fryars*, and just step'd up this Alley, and immediately the Watchman laid hold of me.

A Man. The Prisoner and I stood for the Child at the Christening. When it was all over, we came through *Temple-Bar*, and at *White-Fryars Gateway* I parted with her.

A Woman. The Prisoner and I met at *Temple-Bar*, and we came together into *Fleet-street*. She just stepp'd up *White-Lyon-Court*, and in less than a Minute I saw a Woman run out, and a Man after her, and presently the Watchman laid hold of the Prisoner.

Another. I was going to *Billingsgate*, and met the Prisoner and a Man by *Temple-Bar*. She told me she had been at a Christening, and (with that) the Man took his Leave of her at *White-Fryars-Gate*. There is a Court in *Fleet-Street* called *White-Lyon-Court*, and she desired us to stay for her while she just stepp'd up the Court—and then she was taken. I have known her these 5 Years to be an honest Woman.

A Man. I have known her 8 Years; She made Gowns for my Wife, and her Husband made Shoes for me: I always took her to be an honest Woman.

A Woman. She has made Mantuas for me these 5 Years, and I have recommended her to several People. Acquitted.

61. 62. *William Chang*, was indicted for stealing a Silver Sauce-boat, value 30 s. the Goods of *William Shaw*; and *Margaret Deval*, for receiving the same knowing it to be stolen. Both Guilty.

63. *Duncan Cameron*, was indicted for stealing a Silver Handle of a Stew-pan, value 50 s. and other Things, the Goods of *Elizabeth Dutchess Dowager of Hamilton*, in her Dwelling-House, Jan. 19. Guilty 39 s.

64. *Thomas Tennant*, was indicted for wilful and corrupt Perjury, in an Information before Mr. Justice Wright. Acquitted.

The Trials being ended, the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 5.
Alexander Afflack, *John Lowdon*, *Robert Lloyd*,
William Plummer, and *Morgan Newland*.

To be WHIPPED, 7.
Eleanor Barlace, *John Abbridge*, *Judith Cartney*,
William Milla, *Alice Riley*, *Joseph Powers*, and
Barbara Dallas.

TRANSPORTATION, 19.
Ann Stevens, *John Fryer*, *Elizabeth Gibbons*, *Alice Racket*, *George Cheek*, *John Baker*, *William Floyd*, *William Evans*, *Margaret Deval*, *Thomas Blyd*, *Nathaniel Nichols*, *Robert Nichols*, *John Shambler*, *John Brooks*, *Samuel Con*, *Duncan Cameron*, *Elizabeth Edridge*, *Joseph Couper*, *Edward Porter*, *James Palmer*, *Ann Nelson*, *Thomas Twist*, *Robert Mason*, *Mary Biggs*, *John Pead*, *James Cunningham*, *James Rastat*, and *Dorothy Preston*.

* This Person being convicted of receiving Goods knowing them to be stolen, is to be transported for 14 Years.

John Smith was called to the Bar, and being asked what he could say why he should not receive Sentence to die according to Law, pleaded in Arrest of Judgment, that he apprehended his Case did not come within the meaning of the Statute of the 15th of his present Majesty, by which the stealing any Sheep or other Cattle, is made Felony without Benefit of Clergy; whereupon his Sentence was respited.

Sir ROBERT GODSCHALL, Knight, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on Wednesday the 28th of April next, at Eight o'Clock in the Morning.

N. B. Whoever presumes to print any of these Trials will be prosecuted with the utmost Severity.

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THE
PROCEEDINGS

AT THE

Sessions of the Peace, Oyer and Terminer,

FOR THE

CITY of LONDON,

AND

County of MIDDLESEX,

ON

WEDNESDAY the 28th, THURSDAY the 29th, FRIDAY the 30th,
of APRIL, SATURDAY the 1st, and MONDAY the 3d,
of MAY.

In the 15th Year of His MAJESTY's Reign.

NUMBER IV. Part II. for the YEAR 1742.

BEING THE

Fourth SESSIONS in the MAYORALTY

OF THE

Right Hon^{ble} Sir Robert Godschall, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed and Sold by T. PAYNE, in *Bishopsgate-Street*, near the
South-Sea-House. M,DCC,XLII.

Where may be had any of the former Numbers in this Mayoralty.

(Price SIX-PENCE.)

THE PROCEEDINGS AT THE

Sessions of the Peace, Oyer and Terminer, For the CITY of LONDON, &c.

THE Council for the King having opened the Indictment, proceeded to take Notice that this Prosecution was founded on a late Act of Parliament, which was made to punish those who were guilty of a Crime of the first Magnitude, destructive to Trade, and all that Security which every one ought to have for their Estate and Property: That the Person mention'd in the Indictment by the Name of *John Thompson*, was originally a Taylor, but that in *March 1737*, he enter'd on board his Majesty's Ship the *Flamborough*: that being indebted to one *Carter* in the Sum of 14 *l.* and being going on board the Ship, he gave a Letter of Attorney to this *Carter*, to receive his Wages: that he likewise made a Will, wherein he appointed *Carter* his general Legatee, and that he afterwards died on board this Vessel in *August* thirty-nine. *Carter* hearing of *Thompson's* Decease, applyed to *Dodder's Commons* to prove the Will that was left with him: that upon his coming there, he found that another Will had been proved, which was the Will in Question, and wherein *Thompson* was said to have appointed the Prisoner his Legatee, who must (in order to have been entitled to receive a Probate) have taken an Oath that that was the true Will of *John Thompson*. That, as soon as *Carter* found this Fraud had been committed, he made what search he could to find out this *Rhodes*, and at last received Information of him at *Mitchell's Coffee-House* near the Navy-Office, and he was afterwards taken up for this Fact. It was farther observed, that it was a great Misfortune attending this Sort of Men, that they are not only subject to greater Casualties than other People,

but also leave their Effects under great Uncertainty; that upon the Probate of a Will's being produc'd, the proper Officer of the Navy is bound to deliver a Ticket for the Wages of the Sailor to that Person who appears to be entitled to it, and that it has been too much a Practice lately for Persons to set up Wills which never were real, to get into their Custody, that Pay which these honest Men have earn'd with the Sacrifice of their Lives, &c.

Counc. We shall call *Mr. Roseindale* to prove the Death of *John Thompson*.

Mr. Roseindale. I am chief Clerk of the Ticket Office in the Navy-Office; this in my Hand is the Muster Book of the Ship *Flamborough*. The Captains of the Men of War are enjoin'd as convenient Opportunity offers, to send their Muster-Books and Tickets as frequently as possible to the Navy-Office, and we endorse and enter them into such a Book as this, and they are assign'd once or twice in a Month to the Executors.

Counc. Have you not there the Names of all the Persons on board the Fleet?

Mr. Roseindale. Yes, all that are living, dead and run away.

Counc. If any body dies on board, does not that Book take Notice of it?

Mr. Roseindale. Yes, and it appears by this, that *John Thompson*, an able Seaman, died the 22d of *August*, 1739, at *Turtle Bay*, on board the *Flamborough*, and the Ticket was made out for his Wages, and sent to the Navy-Office.

Jury. When was the Ticket made out?

Mr. Roseindale. I presume, presently after the Man died.

It was here urg'd by the Council for the Prisoner, that this was improper Evidence to be laid before the Jury, and not sufficient to prove *Thompson's* Death; that a Fact of this Kind should be prov'd by Persons who were on board the Ship, or that the Captain or other Officers of the Ship might through Mistake or Design, return the Man dead when he was really alive.

In answer to which, the Council for the Prosecution said they were surpriz'd to hear this Objection made; for that according to the known Course of the Navy, the Names of all the Sailors that die, are regularly enter'd in a Book for that Purpose; that this Book was given in Evidence in *December* last in the Case of *Fitzgerald* and *Lee*; the Evidence of *Perry's* Death being only a Book of this Kind. That the Person who dies is always enter'd in this Book, and when it comes over here, the Consequence of that is, there is a Ticket made out for the Wages, and according to the known Course of the Navy, deliver'd to the Person who brings the Probate: That as the Prisoner stood indicted for publishing a Will, it was an Acknowledgment by himself that the Parry was dead, unless he could go and swear he was dead, and prove his Will, when he is alive: That the Prisoner had actually receiv'd the Pay of that Man, and therefore he thought him dead or certainly he would not have gone to *Doctor's-Commons* to prove the Will; that if this was not Evidence to prove his Death, no Seaman could be secure of one Shilling which he was venturing his Life for every Hour he lives, &c.

By the Prisoner's Council in Reply it was offer'd that there were a great many People on board the Ship who best knew whether the Man was alive or no, and that the Proof ought to be fuller in this than in other Cases; that notwithstanding the Prisoner might have prov'd this Will, that was not sufficient; for that a great many People had prov'd Wills, when it has appear'd that the Person was alive.

It was farther observ'd by the Council on the same side that there was no such Thing as a Will while a Man was alive, for that he might controul it every Moment: That no Person appear'd here, upon the true Survey of the Ship to prove this Man dead, and therefore 'twas hop'd that what had been offer'd against the Prisoner, was not sufficient Evidence of the Death of a Man in a Case of Felony.

Upon the Whole, the Court were of Opinion that the Council for the Prosecution should go on with their Evidence.

Counc. Did you make out any Ticket for Wages due to *John Thompson*?

Roseindale. No Sir, it was made out by the Captain of the Ship. I deliver'd it out of the Office to *Robert Rhodes*, Executor, a Cheesemonger, at the Corner of *King-street*, *St. Giles's*. I can't say I know his Face, by reason I see so many People coming backwards and forwards.

Pris. 2. When did you deliver out the Ticket?

Roseindale. This is the Ticket; I deliver'd it to Mr. *Rhodes*, Sept. 3, 1741.

John Goodwin. This in my Hand is an original Will.

Counc. Who deliver'd it to you?

Goodwin. I had it in my own Custody, as being Clerk to the Register in the *Prerogative Office*.

Joseph Hughes. This Will was brought to me by the Prisoner, in order to his proving it.

Counc. Did you go with him to prove it?

Hughes. I wrote the Oath on the back of it, and went with him before *Doctor Chapman* to get him Sworn to it, and he did Swear to it. Here is a Copy of the Oath on the back of it; I dated it the 3d, of *September* 1741. I have seen the Prisoner before this, and since, for he has been to me, with People upon other Occasions.

Dr. Robert Chapman. This is my Name on the back of the Will.

Counc. What was the Oath that was administer'd to the Prisoner?

Dr. Robert Chapman. The Oath he swore was, that he believ'd this to be the last Will and Testament of *John Thompson*, deceas'd; that he was nam'd Executor, and that he would give a just Account of his Executorship when call'd to it by Law. This is only a short *Jurat* on the Back of the Will. He swore that this was the Will of *John Thompson*, deceas'd, and the rest was a Promissary Oath that he would duly pay the Debts and Legacies; and here is likewise wrote on the Back, that the Effects don't amount to 20 £.

Mr. Hughes. They bring the Will first, and the *Jurat* is wrote on the Back; then we carry them to a Doctor to be sworn, and this Will was prov'd according to the Prisoner's Directions.

2. Did you go with the Prisoner?

Hughes. Yes, I went with him myself.

The

[The Will was read.]

Counc. We shall now call *Samuel Boyden* to prove that this is not the Will of *John Thompson*, and that he was not a Mariner, nor of this Parish at the Time the Will bears Date; — Are you acquainted with the Hand-writing of *John Thompson*?

Boyden. I was so far acquainted with it, that I took particular Notice of his signing the Will to Mr. Carter, and to the best of my Knowledge this is not his Hand.

Pris. Q. Did you never see him write but that Time that he sign'd the other Will which you witness'd?

Boyden. I have seen his Writing, but never was by when he wrote: except when he made that Will which I witness'd. — I can't remember when that was.

Counc. I ask you whether in September 1736, he was a Mariner?

Boyden. No, he was not, he was a Taylor, and liv'd in the Parish of St. Mary le Strand.

Counc. I ask you whether he did, or did not live in St. Giles's Parish.

Boyden. Not to my Knowledge; I never heard that he liv'd there.

Q. Where did he live when you saw him make the Will?

Boyden. In White hart yard, in the Parish of St. Mary le Strand.

Q. Where did he live when that Will was made in 1736.

Boyden. I don't know; he came out of Yorkshire as near as I can judge, about two Years before he went to Sea, and I sign'd that Will for Mr. Carter the Night before Thompson went on board.

Pris. Q. What Day did you sign the Will for Mr. Carter?

Boyden. It is impossible for me to remember that; I know the Time; but I can't remember the Day or the Year.

John Gibson. I was acquainted with John Thompson in his Life Time. I can't say I ever saw his Writing before he sign'd a Will to which I was a Witness; — the Will that he made to Carter.

Counc. What Time was that?

Gibson. I believe in 37 or thereabouts; it was a little after the Queen's Mourning; — he was a Servant to me then as a Taylor.

Counc. Was he a Seaman at that Time?

Gibson. No, nor never had been a Seaman before.

Counc. Look at that Hand-writing there.

Gibson. It is nothing like his Hand. I saw both the Wills before Mr. Deveil, and that which I witness'd I can swear was his Hand-writing. But this is not.

Pris. Q. Did you ever see him write since that?

Gibson. Yes, once at my own House; it was his Name to a Note of Hand: This Will is dated March 7, 1737. this is my Hand, and I saw Thompson write that at the Time it bears Date.

Pris. How long after that Will was made did you see him write his Name to the Note.

Gibson. The same Day.

Boyden. This Will is Mr. Thompson's Hand; I sat by him when he wrote it, and look'd particularly at it; I am a subscribing Witness to it, and it is not like the pretended Will at all.

Mr. Carter being call'd by the Council for the Prosecution, it was urg'd on Behalf of the Prisoner that he was a Person interested, and therefore could not be admitted to give Evidence; that this was the same as a Case of a Note of Hand, where the Party who is bound by that Note comes to prove it forg'd, to secure his own Interest.

In answer to which, it was said, that the Consequence of this Suit could in no shape affect Carter, the other Will being already prov'd in the proper Court, and supposing the Will which the Prisoner stood indicted for should really prove a good one, yet Carter's Will being subsequent would destroy it. The Prisoner's Will bearing Date in the Year 36, and Carter's 37, making it indisputable: That this was not a private Prosecution, but a Prosecution in the Name of the Crown for the Benefit of the Public, that the Prisoner might be punish'd according to Law, therefore exactly agreeable to a common Case of Felony.

It was observed by the Prisoner's Council in Reply that this was no Answer to the Objection; that Carter (who had a Will) was called to prove which was the real one, the 1st, or the last; that he was call'd to prove the Prisoner's Will false, and certainly he must have Benefited by that, for that then his own would stand without doubt. The Court being of Opinion that Carter was not a competent Witness, the Council proceeded to call *Sarah Ruffel*.

Counc. Do you know the Prisoner?

Mrs. Ruffel. Yes Sir; I purchas'd this Ticket

of him, I think it was the fourth of September last: it was the very Day after the Ticket was delivered out of the Office.

Counc. Had you any Meeting with the Prisoner in relation to this Affair?

Russel. He us'd to call very often at my House and drink a Glass of Wine.

Counc. What did he say upon this Occasion?

Russel. He shew'd me the Ticket, and ask'd me to buy it: I said I would if it was a good one: I sent over to the Office and had it cast with the Books, and paid him the Money for it.

Counc. Did you ever see him with Carter?

Russel. Yes, I believe I have: I heard him say to Carter, if he could prove his Will to be good, he would make any just Agreement with him, for they both said that Thompson ow'd them Money.

Pris. Q. How long have you known me?

Russel. I can't remember; I don't take such Notice of Strangers, but I believe I may say a Year.

Pris. Q. What do you take me to be?

Russel. A Man; I suppose.

Pris. Q. Do you suppose me to be a good Man?

Russel. I don't suppose any Thing at all about it.

Pris. Ask her whether she never heard of Sailors making three or four Wills to defraud different People of Sums of Money?

Russel. I have heard People talk so to be sure, but I never had any Proof of it.

Mr. Goodwin. Sometimes I have 2 or 3 Wills from different Persons, and when we meet with any, we stop them.

Pris. Q. Did you never hear of a third Will of Thompson coming to your Office?

Mr. Goodwin. No, I never heard of it.

Barnabas Honeychurch. I knew John Thompson, I was very well acquainted with him.

Counc. Did you ever see him write?

Honeychurch. No Sir, I was acquainted with him within a few Days after he came to London, which I take to be about 7 or 8 Years ago: He was a Tay'or, and liv'd at the Swan and Apple-Tree in White-Hart-Yard, in the Parish of St. Mary le Strand.

Counc. Did you ever know him live in St. Giles's?

Honeychurch. No, never. I remember when he first went to Sea; it was about four Years

ago last January, in the Year thirty-seven. He never was a Seaman before that, by what I have heard him say, and he work'd with me within a Day or two before he went to Sea. He has apply'd to several People who had been at Sea to inform him about the Business, for he was going Taylor to Captain Pierce of the *Flamborough*. He din'd with me almost every Day in the Week, and frequently supp'd with me except his Business call'd him another Way.

Pris. Q. Do not these Parishes join?

Honeychurch. No, St. Martin's Parish crosses them. St. Giles's is above Long-Acre.

Here the Ticket was read, — "John Thompson, able Seaman, aged (Blank) Years, died on board the *Flamborough* Man of War, Aug. 22, 1739, at which Time he was discharged by "Reason of Death."

19l. 18s. 1d.

DEFENCE.

If your Lordship pleases, I can call one Man who was in the House when the Will was made to me.

Call Robert Nash Jones.

Pris. Q. Did you know Mr. Thompson that is dead?

Jones. Yes, his Name was John Thompson, I knew him no farther than just happening into the Alehouse where the Will was making, and that was in Church-Court, by St. Martin's-Church, and I think it was at the Chequer Alehouse. I went in to drink a Pint of Beer, and there was Mr. Rhodes. I knew him when he liv'd at the Seven-Dials, some Years ago, and for that Reason he spoke to me. At that Time the Will was making, it was fill'd up by one John Williams, but I did not see it witness'd.

Pris. Q. Was there any Thing desired by Thompson or Rhodes at that Time?

Jones. Nine Pounds Mr. Rhodes disburs'd at that Time to Thompson, as I understood, it was to fit him out, or something in that Way, and Thompson was to make a Will to him, and he was to receive his Pay; according to my Understanding it was so.

Pris. Q. How long ago was this?

Jones. I take it to be about Michaelmas Time in 36 or 37; I was there present, and paid my Reckoning, and went away and left them together.

B

Counc.

Counc. Where do you live?

Jones. At the Back of *St. Clement's*; sometimes I work in Coals, and sometimes in the Plumbers Way as a Porter; I have work'd at Mr. *Thomas's* Wharf at *Dowgate*, and for Mr. *Wardell* and *Colwell* the Bottom of *Dowgate-hill*, and sometimes I have been in a Branch of Leather-dressing.

Counc. Who did you live with last in the Plumber's Way?

Jones. Mr. *Deval* in *Piccadilly*; he has one Shop in *Holborn*, and another in *Piccadilly*: I have not been at Work that Way since three Months before *Christmas*.

Counc. Have you never work'd in the Plumber's Way since then?

Jones. I can't be particular to a Day: I have not work'd with any body since, as a Plumber, but I have been employ'd by Mr. *Jones* in *Clement's-lane*, who is what we call a Leather-dresser. I have work'd for him 2 Months since *Christmas*.

Counc. How long did you work for him?

Jones. Ten Weeks or two Months perhaps, as near as I can remember: the last time I work'd for him was about 2 Months ago: I came from Mr. *Deval's*, and went to Mr. *Jones's*, and work'd for him 3 Months before *Christmas*: I can't tell when I work'd last for Mr. *Jones*, for I had no Occasion to take Notice of the Day.

Counc. Did you work with him all the Time, from the Time that you first began with him?

Jones. Yes, till just now.

Counc. How long had you been acquainted with *John Thompson*?

Jones. Only the Time of the Will's making: I don't know that I have seen him before or since.

Counc. How do you know it was *John Thompson*?

Jones. Because the Man that fill'd up the Will call'd him so.

Counc. Was this in the Year 38.

Jones. No, I take it to be about 36 or 37: I can't justly say to an Hour, a Day, or a Month, because I only chanc'd (to go) in for a Pint of Beer, and I sat down in the Company.

Counc. Did you read the Will?

Jones. No, I am not Scholar enough I believe to read a Will.

Counc. Who told you it was a Will?

Jones. I understood according to my Understanding, that the Will was made to Mr. *Rhodes* on *disbursting* so much Money.

Counc. Who told you this was *Thompson's* Will?

Jones. Mr. *Thompson* and *John Williams* were

together, and I saw him writing on the Paper: — I staid there half an Hour or better. I saw nobody else there but *Thompson*, *Williams* and Mr. *Rhodes*.

Counc. Did you see the Will sign'd?

Jones. No, I only saw *John Williams* (as Mr. *Thompson* call'd him) writing on the Paper: I saw nothing at all sign'd. I can read a little, but I did not read the Will, for I had no Concern to ask any Questions.

Counc. Do you know *Mary Sempson*?

Jones. No, nor I did not know *John Williams*, only hearing *Thompson* call him by his Name.

Counc. What sort of a Man was this *Thompson*?

Jones. He was a long visag'd Man, not so thick as I am: I take him to be a blackish swarthy Man: I can't say whether he wore his own Hair or a Wig, because I had no Occasion to take Notice.

Counc. How do you know this was *John Thompson*?

Jones. *Williams* call'd him by his Name.

Counc. About what Age did *Thompson* seem to be?

Jones. About thirty: I can't guess at a Man's Age so long ago.

Counc. Did he wear a Wig or his own Hair?

Jones. I can't tell.

A Witness. This Will was brought to me by *Rhodes*. He likewise brought another Will of *Thompson's* which I have in my Pocket; I think it is made to *Mary Vaughan*. *Thompson's* Will being prov'd, a Citation was taken out against *Rhodes* to bring it in, and shew Cause why a Will of a later Date should not be prov'd. Sometime after that, the Prisoner said he had found out a Will of a later Date than the other. I look'd upon it, and told him, he must bring his Witnesses if he intended to support it. He said, he knew but little of that Affair; but that one Mrs. *Glass* could inform me farther of it. He left me the Will and the Letter in which it was inclos'd, and I went to Mrs. *Glass*, who told me, she had received that Will inclos'd in the Letter from Mrs. *Vaughan* at *Portsmouth*, and desir'd every Thing might be done that was necessary to support it; but *Rhodes's* Will never was prov'd by Testes, therefore it was revok'd, and the other granted.

James Cockran. I have known *Rhodes* between 7 and 8 Months coming and going; I never saw any thing by the Gentleman but Honesty. He has gone in my Parish under the Character of an honest Man, and it is more than I know if he would do such a Thing as this. I use the

Holland

Holland Trade, and have sold him Stockings and Linnen, and have trusted him for a Month together. He is a Cheesemonger, and lives at the other End of the Town. I have liv'd in St. Katherine's Parish these 9 Years, and he us'd to call upon me at my Chandler's Shop, and paid for what he wanted.

Peter Glas. I have known him 8 or 9 Months: I keep a Barber's Shop on *Tower-hill*: He always paid me 6 d. a Time, and I never saw nothing but what was honest and just by him.

— *Harper.* I have known him these 2 or 3 Years: He has been gone out of the Neighbourhood 4 or 5 Months, and then he bore a good Character: He used me handsome, and paid me for what he had: I liv'd over-against him.

Pris. Have you any Suspicion that I would do so foul a Crime as I am accused of?

Harper. The Man behav'd very well.

Counc. What Character did other People give him?

Harper. I have heard People whispering about that he was concern'd in these Wills 5 or 6 Months ago; the first Occasion of it was some Papers from the *Commons* being hung up at his Door before *Christmas*.

Counc. Was that on Account of this Will or another?

Harper. I never heard of any Will but this: He was a Cheesemonger in *King-street*, by the *Seven Dials*.

John Hastings. I have known the Prisoner about ten or a dozen Years. He liv'd in *Little St. Andrew-street*, near the *Seven-Dials*, and from thence he mov'd to the Corner of *Earl-street*, in *King-street*. When he liv'd in *St. Andrew-street*, he behav'd very well, and was respected by the Neighbourhood, and was a very industrious Man; but when he mov'd into *Earl-street*, he became a Headborough, which a great many People believe was of no Service to him, for he has been accus'd of a great many foolish Things not to his Credit, with regard to Thief-taking, which is not a creditable Thing for a House-keeper. By following these Practices, his Business was reduc'd to such a low Ebb, that at last I believe he was driven to his Shifts; and there was something stuck up against one of his Window-Shutters, but what it was I can't tell. His Character is really a very bad one.

Pris. Did you ever hear that I wrong'd any one in the Neighbourhood of a Farthing?

Hastings. I know nothing no farther than there was something stuck upon his Window-Shutter about a Will, something above 3 Months ago.

Henry Browns. I have known the Prisoner 2 or 3 Years; I liv'd directly over-against him when he liv'd in *King-street*. When he came into the Neighbourhood, we took him to be a very honest Man which was about two Years ago; but since that, he was a Headborough, and hang'd two Men, which got him a bad Character. His general Character at first was very Honest; but by being guilty of these Facts, we could not think any other Thing but what was bad.

Wm. Nichols. The Prisoner liv'd over against me, and his Character at first was very good, but lately very indifferent; for there was something stuck up against his House, and there was a Talk of his forging a Will.

Thomas Trout. I have known him about 2 or 3 Months, and his general Character is very bad, in forging Notes and Wills: it came once to my turn to arrest him, about 3 or 4 Months ago: I never heard a bad Character of him before that Time for I never knew him.

Pris. Ask him how I behav'd when he arrested me?

Trout. I took his Word, and one Mr. Young paid me the Debt and Costs in 2 Days.

Walter Burton. I have known the Prisoner above three Months, and by an intimate Acquaintance of his, one John Jones a Leather-dresser, I have heard a very bad Character of him.

Pris. I arrested this Man for a Note of Hand for 26 l. and he has mov'd the Cause out of the *Marshalsea* into the Court of *King's-Bench* or *Common Pleas*.

Burton. It was a forg'd Note, and therefore I would not pay it: I never gave a Note of Hand in my Life.

— *Spradley.* I never saw the Prisoner till the 30th of *Sept.* last, but since I have had the Occasion to know him, he has borne a very bad Character.

Francis Jordan. I have known him a pretty while, and dealt with him, and he then bore a good Character, but since I have heard an indifferent one: he bore a good Character in the Neighbourhood, and when I was Overseer he paid me my Taxes last Year.

Counc. What Character has he borne since?

Jordan.

Jordan. I won't go by Hearf. ; I will swear nothing but what I can prove.

Guilty. *Death.*

39. *Robert Pannel* was indicted for stealing a Dozen of Knives and Forks, and other Things, the Goods of *Nathaniel Alderson*, Jan. 28.

Guilty.

40. *George Dope* was indicted for stealing 40 Pounds of Lead, fixed to the House of the Right Honourable *Robert Lord Walpole*, February 27.

Guilty.

41. *Robert Bunch* was indicted for privately stealing a Linnen Handkerchief from the Person of *Thomas Bonus*, March 26.

Guilty 10d.

42. *Carolina Dalton* was indicted for stealing four Guineas in the Dwelling-House of *John Wolfe*, March 15.

Acquitted.

43. *Elizabeth Life* was indicted for stealing a Silver Cup, the Goods of *Matthew Bailey*, March 6.

Acquitted.

44. *John Glynn* was indicted for privately stealing three Copper Saucepans, the Goods of *Wm. Bently*, in his Shop, March 13.

Guilty 4s. 10d.

45. *John Burnham* was indicted for that he not having God before his Eyes, &c. on *Henry Oliver*, feloniously, wilfully, &c. did make an Assault, and with a certain Knife made of Iron and Steel, &c. on the right Eye of the said *Oliver* did strike and cut, giving him one mortal Wound, of the Length of half an Inch, and Depth of three Inches, of which he instantly died, March 7.

He was likewise charged by Virtue of the Coroner's Inquisition for the said Murder.

The Witnesses were examined a-part.

John Jones. I saw the black Man standing in *Shorter-street*, by *Well-close-square*: His Name was *Henry Oliver*. There came a Prefs-Gang to take a Woman that had pick'd a Man's Pocket, and they found her, and took her to the Watch-House. The Prisoner came by with a great Stick in his Hand like a Broom-stick, and a Knife or Dagger in the other. The Prefs-Gang pushed him down in the Middle of the Highway, and left him: Then he got up again, and stood talking to the black Man: I heard the Black say something to him that the Woman ought to be hang'd for picking the Gentleman's Pocket, and the Prisoner immediately gave him a Punch with something that he had in his Hand; I can't tell whether it was a Knife or a Dagger, but I am sure the Black did nothing at all to him. The Prisoner struck him in the Face, and then gave him another Knock with the same Instrument, and the Black fell down in the Highway directly, and never spoke afterwards. Then the Pri-

soner ran away into the *Ship Alehouse*, and was lost for half an Hour before we could hear any Thing of him; but we went into a Gentleman's Yard, and saw him getting over the Pales: He hid himself under a Bench in an Arbour, and we pulled him out from thence, and told him he had killed the Black: He said, he hop'd he had not, and then we took him to the Watch-House.

Pris. Ask him whether the black Man was not bleeding over the Eye before I came to the Place?

Jones. I believe the black Woman gave him a little Scratch: They were scolding together, and the Woman gave him a little Push, and scratched him over the Eye; but it did not bleed.

Stephen Jones. I was coming Home with my Brother on Sunday Night, and in *Shorter-Street* there was a black Man and a black Woman fighting; presently a Prefs-Gang came by, and went into a House by the Hay Field, and took a Woman out who had picked the Captain's Pocket. Coming through *Shorter-Street* again, I saw the Black go through the Square with the Prefs-Gang, and he stood by while they put the Woman into the Watch-House: The Prisoner was there at the same Time, and the Black said something that the Woman deserved to be hang'd, or some such Thing: Upon which the Prisoner gave him a Push with something that look'd like one of your snick or snue Knives: He gave him another Push, and he fell on his Back, and never spoke afterwards: The first Blow was on the right Eye, and the second on the right Shoulder. As soon as this was done, we cry'd out, *The Fellow has kill'd the Black!* Upon which the Prisoner run away, and got into an Arbour in a Garden, from whence he was taken.

2. Where did you see him do this?

Jones. In the Highway, just by the Watch-House: He ran down with the Knife ready drawn, and a Club in his Hand, but the Prefs-Gang took the Club from him.

William Hopkins. I was smoaking my Pipe, and just going to Bed, when these People came by the Door: I went to the Door, and hearing that a Woman was taken by a Prefs-Gang, I followed them 8 or 9 Rods: The Prisoner and the Black came up; the Black stood a little Distance off, and I stood in the Middle of the Road: The Prisoner had a Stick at his Side, and one of the Sailors took it from him; upon which he seem'd to grumble, and then the Sailor knocked him down, and went off. After this three or four People being talking about this Affair, the Black said, the Woman was a Whore, and ought to be hang'd: The Prisoner

went

went to him directly, and gave him a Push in the Face, which made him reel, and as he was falling, gave him another Stab on the Shoulder: I believe the Prisoner did it with a Knife, for his Stick was taken away. When this was done, the Prisoner jump'd upon him, or over him, I can't tell which, and run away; but he was afterwards taken from under a Bench in a Summer-House belonging to a Garden: We told him he had killed the Black, and he said he knew nothing of it; but there was some fresh Blood upon his Shirt.

Pris. Ask him, whether one of the Prefs-Gang did not make my Nose bloody?

Hopkins. No: He was only knock'd down, but that was a good while before.

2. Did you see what the Prisoner gave the Push with?

Hopkins. Yes; it was a Weapon with a very long Blade.

Francis Mitchel. I had been at my Mother's, and coming back, I saw a Parcel of People: There was a black Man and a black Woman came by, and they fell to fighting, and the Woman cut his Eye or his Face: After that the Prefs-Gang came by to look for the Woman, and the Black went with them: They got the Woman, and presently afterwards the Black came by again; and, to the best of my Knowledge, the Prisoner struck him on the Shoulder, and made him reel: Then he struck him on the Eye, and he fell at his Length, and cry'd Murder. The Prisoner run into an Alehouse; — I believe it was a Knife that he struck him with, and I did not see the Black do any Thing to him.

Jury. Did the Woman strike the Black on the same Eye as the Prisoner did?

Mitchel. The Woman cut him some where about the Face.

Thomas Thompson. I was at the taking of the Prisoner, and did not find any Thing at all upon him. I did not see what was done in the Highway.

Gould Cole, Surgeon. I searched this Negroe's Wounds two Days after he died; one was a small incised Wound on the Top of the *deltoid* Muscle, about half an Inch long, and an Inch deep; there was another small Wound on the *Frontis*, which is the Forehead; and another, which was a *perforated* Wound, above the right Eye, (into the Socket which contains the Eye) about four Inches and an half deep, and an Inch long: The Wound in his Eye was certainly the Cause of his Death, for that in his Shoulder was of no Signification.

2. Were there any Parts of his Face scratched?

Cole. I did not observe any: This Wound in the Eye I take it, was given by some sharp Instrument, like a Sword or Dagger; and that on the Forehead, was a little small Wound like a Scratch.

D E F E N C E.

Jane Wall. Another Woman and I went into Mr. Allen's to call for a Pint of Two-penny: The Black came in after us, and said, he had been there some Time of the Day, and spent three half Crowns in Punch, and had lost some Money in the House by some of the Women: He made a Noise in the House, and said he would not go till he had got his Money. There was a Lad along with him, who said he had lost a Shilling; and the Gentleman of the House turned them, and some of the Women out of Doors. In a little Time the Black came back again, all over Blood: — This was about 7 o'Clock at Night.

Hopkins. The Fact was done about half an Hour after 9, or thereabouts.

Wall. He came in, and stood against the Partition; and the Blood run down to his Temple.

Jury. Did you look in his Face then?

Wall. Yes, and the Blood run down all over his Shirt.

Jury to the Surgeon. Did the Wound in the Eye disfigure the Negro's Face?

Cole. It went quite through the Eye-Lash; but that in the Forehead might bleed a little.

Wall. The Blood that I saw, proceeded from this Place. [*Pointing to her Forehead.*] I desired him to go Home, for fear of being used ill; and he said he would lose more Blood, before he would go Home without his Money.

Hester Cole. This Woman and I were in the Alehouse when the Black came in: He said he had been ill used, and robbed in the House, and he would have his Money. There were two Women, one black and the other white: And the People of the House bid him get out, but he refused; and so they shut him and the Women out in the Entry: They all came in again in a few Minutes, and then I saw the Blood run down his Shirt on the right Side: This was about Seven o'Clock at Night, and next Morning I heard he was murdered.

Guilty Death.

46. **Benjamin Birch** was indicted for stealing three Knives, val. 3d, and other Things, the Goods of *Dennis Tailor*, April 23.

Acquitted.

47. **Elizabeth Pembroke** was indicted for privately stealing 15 Moidores, from the Person of *Patrick Clark*, April 26.

Acquitted.

48. **Ann Frost** was indicted for stealing a Cotton Gown, the Goods of *Mary Strong*, and several other Things, March 5.

Acquitted.

49. **Jane Green** was indicted for stealing a Cambrick Apron, and other Things, the Goods of *John Fox*: And a Linnen Shift, the Goods of *John Stake*, April 10.

Guilty 10d.

50. **Catherine Merchant** was indicted for marrying *John Merchant*, her former Husband *John Dagny*, being alive.

There being a Defect in the Indictment, the Prisoner was acquitted.

51. **John Bolton**, alias **Bolter**, of *St. James's, Clerkenwell*, was indicted, for that he, with four other Persons unknown, not having God before their Eyes, &c. on the 4th of April, on *Isaac Crawley* did make an Assault, and a certain Blunderbuss charged with Gunpowder and leaden Slugs, against the said *Crawley* did discharge and shoot off, well knowing the same to be charged; giving him on the Inside of the right Arm, below the Elbow Joint, one mortal Wound, of the Breadth of one Inch, and Depth of four Inches; of which, from the 4th to the 11th of April, he languished, and then, in the Parish of *St. Bartholomew the Less*, died.

John Portman. The Prisoner I do believe to be the Person that shot and wounded *Isaac Crawley* on the 4th of April in the Morning, at the Bottom of *Clerkenwell-Green*. He was afterwards taken to *St. Bartholomew's Hospital*, and died there.

C. Now tell us all the Circumstances of the Case in the Manner they happened.

Portman. I am Constable, and was coming from the Watch-House to go my Rounds into *Turnbull-Street*, and I told *Crawley* who was with me, that I would first step again to the Watch-House: There came four Horses and passed me; the fifth was about ten or a dozen Yards behind the other, and I had not above two Steps to go, before I could have got quite cross the Way. The fifth Horse met me, and rode up against me, and I held up my Staff just so, which made him start, and the Man on his

Back struck at me: Upon that I struck the Horse on the Head, thinking I had as much Authority in the Night as he; and then he fired a Pistol. A second Man then came up, and I hit the Horse a good Knock, which made him turn round with his Tail to me. The second Man (whom I apprehend to be one of the four that passed by me) fired a Pistol directly at me. I plaid about with my Constable's Staff, which is about 8 Feet long, hitting first one Horse, and then the other: They fired seven more at me, and I had no other Chance to save my Life, but by keeping the Horses in an unsettled Motion. An eighth Pistol was fired, and I never heard *Crawley* say any Thing till the Men were gone off, and then he said, *Master, I am wounded! I am shot!* There were five Horses in all, four passed me, and the other had not, and there were two Men that fir'd at me.

Q. Did the People belonging to the other four Horses go off?

Portman. I saw none but the two Men that came up to me afterwards; the rest of the Company were gone before. I apprehend that the last Pistol shot *Crawley*, for I did not hear him say any Thing till they were gone off, though he was within 7 or 8 Yards of me.

Q. How long had the Men been gone off, before *Crawley* said he was shot?

Portman. They had not got two Yards before he spoke: *Master*, (said he) *I am a dead Man! I am shot in the Arm!* and if he ever saw the Face again he could know him. — I hope I never can err, but what I say is Truth, therefore I do tell you, we got *Crawley* to the Watch-House, by the Assistance of a Man who rose in his Shirt, and a Watchman: One took hold of his Arm, and the other his Legs, and I carried the two Lanthorns. Then I went to call Mr. *Woodburne*, a Surgeon, who does the Parish Business: He would not get up, but however at last he sent his Man, and upon pulling off *Crawley's* Cloaths, he said there were five Bullets or Slugs in the Man's Arm; it was in this Part of the Arm, a little below the Elbow.

Q. What Distance might these Wounds be from each other?

Portman. About an Inch Distance; there were three on a Row, and two length Ways; but in my Surprise, I can't give the Particulars of that; but if I may speak my Heart, I believe it could be by one Discharge only. Mr. *Woodburne's* Man telling me he could do nothing for him, I called a Chair, and carried him to the Hospital, where he died that Day Week, as they told me, much about the

Time

Time that he was shot. Now I come to the Prisoner. After I had given my Information before Justice Poulson, Mr. Foster came to the Justice's for the Tea, and I told him the same as I have said now; this was on the Monday Morning. When we had been there some Time, Mr. Foster said he was dry, and so after we had been to a Butcher's, and weigh'd the Tea, we went to the *Hole in the Wall*, I think it was, where we sat down in the back Room, and had a Tankard of Beer. When we had drank best Part of a 2d Pot, Mr. Foster said to one Mr. Quaise, who was in our Company, *I am very uneasy about your Friend John! Why don't you fetch your Friend John?* Mr. Quaise then went out, and I told Mr. Foster, these Men were cowardly Fellows, for five of them need not have trifled with me with Fire-Arms: However presently in comes Mr. Bolton, or Bolter, the Prisoner; — he had Boots on then, and he had not come within a Yard of me, before I said to Mr. Foster, *I have made the Face! That is the Man!* I sat between Mr. Foster and another Man; one bob'd me on one Knee, and the other on the other: — The Truth will never err: — All the Council in England can't baffle me: — Here are two Lives lost. Then the Prisoner got behind me, and laid up against the Dresser, and I challenged him again: *Gentlemen, (said I) I will assure you this is the very Man! That is the very Mark!* Mr. Foster bob'd me on one Side, and the other Man on the other, a second Time; and on my repeating my Assurances a third Time, they bob'd me again in the same Manner. Observing no Body take Notice of what I said, I told them I must go Home, for I was not safe in their Company: Mr. Foster said I was very safe, for Bolton was a Custom-House Officer: With that, my Spirits were quite flagg'd and daunted; and so I took up my Pipe, and would stay t'other Tankard. I jostled my Chair about, and fac'd the Prisoner: *Hark ye, my Friend, (said I) what Countryman are you? Where dost live?* The Prisoner spoke not a Word, good, bad, or indifferent; with that Mr. Foster said, you Blockhead, why don't you come into Company? Then the Prisoner sat down, and he made the sixth Man in the Company; and I told them again, I was sure he was the Man. Then the Argument ceased, and Mr. Poulson's Clerk came in: It seems he was to do something for Mr. Foster about a Cart Load of Tea that had been seized, and he desir'd it might be let alone till Morning, for he could not do it that Night.

G. I thought it was Morning when you was at the *Hole in the Wall*?

Portman. No; it was between ten and eleven at Night; I never said it was Morning: However we staid till the Paper was done; and Mr. Scavendish (Mr. Poulson's Clerk) being going to his Father's, I was glad of the Opportunity, and said I would go with him. Before I got out of the House, I told him that I believed the Prisoner to be one of the Men that shot at me and Isaac Crawley. I went Home to Bed, but could not sleep, so I got up next Morning, and went to Mr. Poulson's; this was Tuesday Morning: I told him the same as I have said now; and Mr. Poulson wrote to Mr. Foster to bring the Man, and I waited all Day, but he did not come. The next Day, which was Wednesday, Mr. Foster was ordered by the Commissioners to bring Bolton to me; and they accordingly came on the Friday following, and four or five more with them. Mr. Foster desired I might look over these Men, for perhaps I might know some of them, and the right Man he said was just by, and he would send for him. I looked at them, and thought it not usual to be trifled with, and I looked on the Ground for some Time: Then I got up, and spoke to the Prisoner. Says Mr. Foster hastily, Which is the Man among all these? So I went up to Bolton, put my Hat between his Legs, and said, That is the Man. He was then committed upon my believing him to be the Man, as I do still.

Q. You say it was between Two and Three of the Clock: What Sort of a Morning was it?

Portman. It was Moon-light, and there were two Pistols discharged, one behind, and another before me; besides the Watchmen had their Lanthorns.

Q. Do you take the Prisoner to be the first or the second Man that attacked you?

Portman. That is the biggest Thing that has puzzled me; for the Horses turned about so, that I can't say as to that; but he had on a light Duffill Coat, and a Great Coat over it.

Q. Do you recollect the Man by his Habit, his Stature, or his Face?

Portman. By the Face, and nothing else: I never saw him with my Eyes before that Night. One of the Men had a hoarse, coarse Voice; and the other a smooth Voice.

Q. Did the Prisoner speak when he came into the *Hole in the Wall*?

Portman. No, not a Word: I have heard him speak since, but I can't recollect him by his Voice.

2. Had the Person who attacked you a Hat on?

Portman. Yes, they had both Hats on; but to be sure I must be in a good deal of Confusion, for one of the Pistols took a Button-hole off here, and another shot through my Great Coat. The Terror of the Prisoner's Face being then upon me, occasioned me to speak when he came into the Company. I have one Thing more to say:—They brought one *Luke Harding* to speak in the Prisoner's Behalf, and his Voice is hoarse and coarse, and I was as positive to his Voice, as I am now to the Prisoner's Face.

Pris. Ask him, Whether when we were at Mr. *Poulson's* on Friday Night, he did not declare to *Thomas Dawage* and *Thomas Quaise*, in the lower Room, if Mr. *Foster* had told him I was an Officer, he would not have carried the Thing so far, but as he had begun, he would go through with it?

Portman. I never did in my Life.

Pris. 2. Did you give any particular Description that Night of the Persons supposed to commit this Fact, whereby there was an Advertisement put into the Papers?

Portman. You must first and foremost set me out in the Light that I am, for I can neither write or read: I did give a Description to Mr. *Poulson*.

Pris. 2. Do you know your own Mark if you see it?

Portman. Yes, it is a Figure of Two:—I can't say whether this is my Mark, because I seldom turn the Tail so high; but I did set my Mark to a Writing at Mr. *Poulson's*, but I don't know that Writing if I were to see it.

Pris. 2. Do you believe that to be your Mark or not?

Portman. I can't say whether it is or not, I seldom turn the Tail so high.

Pris. 2. Do you think that Paper was sign'd by you or not?

Portman. If I was to speak as I think, I did not; if I did, it must be my Trembling or Surprise.

Pris. 2. Was the Paper which you signed read over to you?

Portman. Yes; I believe that was the first that was made, and was thrown away, and I never sign'd any afterwards.

Pris. 2. Did the Paper which you signed contain a Description of the Person supposed to shoot *Crawley*?

Portman. Yes; the first that Mr. *Poulson* wrote did, and I signed it.

Pris. 2. Did not you give that Description on Monday Night?

Portman. Yes; and the Prisoner was taken on the Friday following. I have no more Witnesses but myself, for there were only *Crawley* and I there.

Prisoner. On Saturday Night I was with *Thomas Quaise* and *Thomas Dawage*: We were ordered by Mr. *Foster* to go to the End of *Long-Lane*, for there were five Horses with Tea come in that Morning, and we were to see if they moved them. We went there first, and were suspicious of two Houses in *Three-Fox-Court*, upon which we got a Constable and rummaged those Houses, but we did not find the Goods. After we had parted with the Constable, we went to the Place to wait, and between nine and ten o'Clock a Boy came by with an hundred Bag: We followed him, and in *St. John's street* we asked him if he had got a Permit: He would not tell us, so we follow'd him as far as *Chancery-Lane*, and then he shewed us the Permit. We then went back to *Long-Lane*, and waited till eleven o'Clock: And in the Road, going Home, just before we came to *Moorfields*, there were some People up in a House, and we went in to drink. *Dawage* went away before one o'Clock; *Quaise* and I staid and drank till near three o'Clock, and then we went Home together into *Tower-Street*.

Portman. The Thing was done between Two and Three.

Mr. Poulson. This Paper was read over to *Portman*, and he made his Mark.——This is my Hand-writing:——It is *Portman's* Information, taken the 5th of April.

It was read.

John Portman, Constable, of *St. James's, Clerkenwell*, maketh Oath, That on Sunday the 4th of April, 1742, about Two o'Clock in the Morning, in the Road near *Clerkenwell-Green*, he, this Deponent, saw five Men mounted on Horseback, with Loads on their Horses; one of which Horses ran against this Deponent, and had like to have thrown him down; upon which this Deponent held up his Constable's Staff to defend himself, and immediately the Man mounted on the said Horse discharged divers Pistols or Blunderbusses at this Deponent and his Watchman, *Isaac Crawley*, and wounded the said *Crawley* in his Arm, and lodged 5 Slugs therein: And this Deponent farther saith, That the Man that rode on the said Horse, and discharged several Blunderbusses

derbusses or Pistols as aforesaid, was a lusty Man, about 40 Years of Age, of a swarthy Complexion, pitted with the Small-Pox, and had on a Wig of a darkish Colour, a light-coloured Duffell Coat, and a Great Coat over it, and the Horse or Mare he rode on was of a large Size, a dark Bay with cropp'd Ears; the Saddle he rode on (which was dropt from the Horse) is a brown Leather Saddle, with four Staples and two Leather Straps, such as are usually used by Smugglers, with a Woollen Saddle-Cloth, chequ'd with blue and white, with one Girt and a Circingle: And this Deponent further saith, That one of the other four Men, who were in Company with this *sad* (said) Man, rode on a large black Horse, and was a lusty Man, in a light-coloured Great Coat, and he turned back and fired four Pistols, or Blunderbusses, at this Deponent and his Watchman: And this Deponent further saith, That one of the other three Horses was a spotted Horse, with a bald Face.

The Mark 2 of

JOHN PORTMAN.

Mr. Foster. I have known the Prisoner Ten Years: He has been an Officer in our Commission about six Years, and is an established Weigher upon the Keys. He has behaved exceeding well, and discharged his Trust faithfully. About the 3d of April I received Information, that five Horses of run Tea had been unloaded at One in the Morning, at the End of Long-Lane, next Smithfield; but the Person that saw them unload, did not know into what House the Goods were put. About 6 in the Evening I sent for the Prisoner and Thomas Quaise, who is likewise an Officer of the Customs, and directed them to go into Long-Lane, and to search a House or two; but if they did not find the Goods there, I ordered them to wait, as privately as they could, till Ten or Eleven o'Clock; for my Information was, that before the Watch came about, the Goods would be moved. As to what Portman has been pleased to say, — I was before Mr. Poulson when this Examination was taken, and I saw him sign it. Mr. Poulson directed me to come for the Tea, and there were twenty-five Pounds delivered to me, and I was willing to hear what Account Portman gave of these Smugglers, believing we might find something of Service to the Revenue. Accordingly when he had given this Information, we went to the Hole in the Wall, that we might talk more freely. I took Quaise and Davage with me. Bolton happened not to be at

this House so soon as I expected, so I sent Quaise for him, that he might hear what the Constable said. Quaise brought him in, and he sat down in a Chair near a quarter of an Hour. The Prosecutor (Portman) did say something that he had made the Face, upon which I bid Bolton come round that Portman might have a fair Light. Accordingly he came towards the Dresser, where he staid all the Time that the Constable was there. On the Friday following, by the Commissioner's Directions I went with the Prisoner before Mr. Poulson, and I thought it would be Justice to take one or two Men with me, who went with Bolton upon the Information, and who would know if he was absent from them; but Portman did not pitch upon any of them but the Prisoner. As to Bolton, I have sent him upon different Occasions, where his Life has been in great Danger, and he always behav'd as a faithful Servant ought to do. I heard Portman give the Description of the Man that did this Fact, and it does not answer the Prisoner, neither in the Features, Age, nor having the Small-Pox. I never saw Bolton wear a black Wig, but when he is about his common Business, he has such a Wig as Countrymen usually wear. Portman has likewise said, that Mr. Poulson wrote to me on the Tuesday to bring the Prisoner: the Reason why I did not, was because I had sent him with a Summons to a Man in the Country, to show Cause why his Cart should not be forfeited, for having in it about eleven hundred Weight of Tea. And at the Hole in the Wall, I don't know but I might touch him with my Knee, and I desir'd him not to talk in that Manner in a public Ale-House, for the Man was a Custom-House Officer.

Thomas Quaise. I remember this Night very well; I was going down Tower-street between 5 and 6 in the Evening; I believe it was the 3d of April, Mr. Foster was standing at the Dolphin Tavern Door, and call'd to Bolton and me, and gave us Directions to go into Long-Lane by Smithfield. He ordered us to go and search some Houses in Three-Fax-Court, and if we did not find the Tea, we were to stay in Smithfield till eleven o'Clock or thereabouts. We took Davage with us, and applied to one Timothy Powell a Constable, in Charterhouse-Lane, and by Vertue of a Writ of Assistance, and my Deputation, we took him with us, and search'd two Houses in Three-Fax-Court, and when we had done it was dark, pretty

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near 8 o'Clock. We all agreed after this to go and drink, and we accordingly went to a Public House in *Charter-house-lane*, and had some Beer, and I believe it was near 9 o'Clock before we parted with the Constable. Then *Bolton*, *Davage* and myself went into *Smithfield*, and about ten, or hardly so much, there came a Boy, his Name is *John Colcart*; and who is a Servant to a Grocer. He had on his Head a Sack with an Oil Skin Bag in it, which I took to be Tea. I ask'd him, if he had any Permit; he said, if I wanted to know, I should go with him into *Long-Acre*. I was not willing to give the Boy any Suspicion, so I said to *Bolton*, *John*, you know that is our Way home, we will go with him: He led us into *Chancery-lane*, and when we came near the *Golden Lyon*, he said he would not make us go any farther, and so he shewed us the Permit. We then returned to *Smithfield*, as fast as we could; it might then be better than a Quarter after ten. We had given *Davage* Directions to wait there till we came back, and there we found him. We staid there till near half an Hour after eleven to no Purpose, and then we agreed to return home: *Davage* liv'd in *Spittle-Fields*, and so we agreed to go over *Moorfields*. When we came into *Chiswell-street*, we agreed to drink at the first House that should be open. *Davage* and the Prisoner ask'd me where I would go? I told them, if *Luke Harding* was up, I would go there, for I wanted a Pair of Gloves. Accordingly we went in, and call'd for a Pot of Beer, and staid there all three in Company till better than half an Hour after 12 o'Clock. A Person then came in, who said she had been 'frighted by Thieves in the Fields, and we were detain'd in Talk till very near three o'Clock; *Davage* left us before one. About two o'Clock a poor Woman came in, who carried a Basket in the Market, and I began to talk with her. *Bolton* pretended to her, that he was my Servant, and I made her believe that I was in Love with her. *Bolton* and I staid there till near three o'Clock, and going over *Moorfields*, the Watch went three, and we made all the Haste we could Home, thinking our Wives would be 'frighted. We went together to the End of *Beer-Lane*, in *Tower street*, near the *Custom-house*, and *Bolton* parted from me there. He lives in *Crown-court*, *Seething-lane*, and I had but just got up Stairs, when he came back and knock'd at my Door, and ask'd for his Wife. I told him she had been gone ever since Evening,

and then he went home again: this was about half an Hour after three o'Clock.

Pris. Q. Do you remember any Conversation that you ever had with *Portman* relating to this Prosecution?

Quaife. I was at Mr. *Poulson's* when *Bolton* was examin'd: *Portman*, *Davage* and I, were in Mr. *Poulson's* Room, where he examines the Witnesses. I ask'd *Portman* how he ever could make this poor Man Satisfaction? *Why*, (said he) what you mean by that? You are endeavouring (answer'd I) to swear his Life away when he is an innocent Man: His Answer to that was, if Mr. *Foster* had told him *Bolton* was an Officer, and had not jok'd with him at the *Hole in the Wall*, he would not have carried it on so far; but since he had begun, he was resoly'd to go through with it, let the End be what it would. Hearing him say this, I inform'd Mr. *Poulson* of it directly.

Mr. *Poulson*. This Man told me of it, and *Portman* denied that he ever said so, both to me and Mr. *Paul*.

Thomas Davage. *Bolton* and *Quaife* came to my House to desire me to go with them to Mr. *Poulson's*, and I accordingly did. Mr. *Portman* took his Hat off, and threw it to *Bolton's* Feet, and said, that is the Man! When the Thing came so hard, it shock'd me, and Mr. *Quaife* very much, and we went into the Office: *Portman* follow'd us, and I ask'd him how he could be guilty of such a villainous Thing as to charge *Bolton*? I don't know, (said he, and walk'd about) It is Mr. *Foster's* Fault, for if he had been so good to have told me that the Man was an Officer, and had given me civil Language, I had not carried the Thing so far, but as it is, I must go through with it. *Quaife* and I upon hearing this, went directly and told it to Mr. *Poulson*, and Mr. *Paul*, and Mr. *Poulson* sent for *Portman* in, and asked him the Question, and he denied that he ever said any such Thing. When *Bolton* was order'd from *New-Prison* to *Newgate*, I went to *Hicks's-Hall*, where I happen'd to see *Portman*. He seemed to be shy of speaking to me, but I shook Hands with him, and ask'd him what he design'd to do. He complain'd of his Attendance on Mr. *Foster* and the Commissioners, and he said, he pitied the poor Fellow in Prison, for now instead of one Indictment, he might now have four or five against him.

Luke Harding. I have known the Prisoner a great many Years. On the 3d of April, between 11 and 12 o'Clock, he and *Quaife*, and *Davage*, came to my House in *Chiswell-street*, and call'd for Beer

They staid with me from between 11 and 12 till I open'd the Door to let the Watchman in at 3 o'Clock to let him have something to drink. They did not all go away together, for *Davage* went out about One; he saw they were for drinking, and therefore he would go, but *Quaise* and *Bolton* did not go till near three o'Clock.

Mary Harding. I have known the Prisoner these Years. On Saturday Night, the 3d of April, between 11 and 12, nearer 12 I believe it was, he came into my House with Mr. *Quaise*: There was a third Person whom I take to be *Davage*, but I did not know him so well as the others. He (*Davage*) went away at one, but *Bolton* and *Quaise* staid till 3, and then went away together. I know it was 3 o'Clock, because the Watchman came about, and he is pretty particular.

Ann Burges. On Saturday Night the 3d of April, between 11 and 12, the Prisoner came into my Mistress (*Harding's*) House, and when the Watchman came three o'Clock, he went away.

The Jury acquitted the Prisoner, and the Court granted him a Copy of his Indictment.

52. *William Biers*, was indicted for stealing a brown Peruke, the Goods of *Arden Bonnell*, March 23. Guilty 10 d.

53. *Sarah Birk*, was indicted for stealing a Peruke, and other Things, the Goods of *Jasper Kemmer*, Feb. 1. Guilty 10 d.

54. *Frederick Mackennis*, was indicted for stealing a Bushel and half of Coals, value 15 d. the Goods of *Thomas Phillips*, March 26. Guilty 10 d.

55. *Elizabeth Sutton*, was indicted for stealing a Silver Pankard, value 6 l. the Goods of *Robert Peacock*, in his dwelling House, Mar. 18. And, 56. *Thomas Glover*, for receiving it, knowing it to be stolen. *Sutton* guilty single Felony, *Glover* guilty.

57. *Elizabeth Earl*, was indicted for stealing a nine Shilling Piece, 5 Guineas, and 8 half Guineas, the Money of *Richard Markall*, in his dwelling House, March 30. And,

58. *Mary Hughes*, for receiving two Guineas, Part of the said Money, knowing them to be stolen. *Earl* Guilty 39 s. *Hughes* acquitted.

59. 60. *Ann Wardonel*, and *Sarah Miller*, were indicted for stealing a Stay, Value 8 s. the

Goods of *Mary Poulter*, in her Shop, April 23. Both Guilty 4 s. 10 d.

61. *Ann Werrit*, was indicted for privately stealing 20 Yards of Silk Ribbon, value 5 s. the Goods of *Thomas Brown*, and *Richard Westall*, in their Shop, March 13. Guilty 4 s. 10 d.

62. *Margeret Burk*, was indicted for assaulting *Sophia Muncreef*, on the King's Highway, putting her in Fear, and taking from her a Linnen Frock, April 20. Acquitted.

63. *Priso Green*, was indicted for willful and corrupt Perjury, &c.

The Counsel for the Prosecution having open'd the Indictment, proceeded to call the following Witnesses to support the Charge.

John Cardel. I know the Defendant very well. He was a Brasier by Trade; I have known him follow that Business 8 or 10 Years.

Counc. Def. Did you know him follow it at the Time of the Commission of Bankrupt?

Cardel. Yes.

Counc. Did you know *Jean Brisant*?

Cardel. Yes, he was what we call a French-Plate-Worker, and I know of above an hundred Pounds worth of his Goods, which I myself have taken in, and enter'd into Mr. *Green's* Book.

Counc. Def. Was there no Payment made by *Green*?

Cardel. Not one single Payment of 20 s. to my Knowledge. Here is the Book where I set it down. I was *Green's* Servant, and he often sent me to *Brisant's* House to look out Goods for Sale.

Here the Commission of Bankrupt was read.

Counc. Def. Why you talk of a little Brass ting'd over with a Silver Colour! an hundred Pounds is a great deal of Money!

Cardel. I understand the Business a little better than you: there were Goods to that Value according to the Market Price.

Counc. Def. Will you venture to say there were 5 l. worth of Silver on all that you took in?

Cardel. That is not material, if it was the Market Price. I took Care not to pay more than the common Price, because I understood them better than Mr. *Green*.

Counc. Def. I don't impeach your Understanding: was there the whole Value of fourscore Pounds brought into your Shop?

Cardel. I dare say there were upwards of 100 l. in Brass, Silver and Workmanship.

Counc.

Counc. Def. How long did you leave *Green* before he fail'd?

Cardel. I believe 3 or 4 Months.

Counc. Def. So then you can't say there were 100 *l.* due when *Green* fail'd?

Cardel. No, but when I left him there was so much due.

Q. How long before you left the Defendant, were the last Goods sent in on *Brisant's* Account?

Cardel. That I can't say, for we had Trifles often coming in: we receiv'd a great Quantity that were pack'd up as if they were going abroad. I receiv'd with my own Hands to the Value of 113 *l.* and to my Knowledge none of them were paid for.

Counc. Def. Did you never hear *Brisant* say he had received Money?

Cardel. No, I never did.

Counc. Did you ever deny *Green* to any Body?

Cardel. Yes, to *Mr. Rudge's* Clerk: He desired me not to let him be troubled with such People, in April 1740.

Counc. Did you know that these People were Creditors?

Cardel. Yes, *Rudges* Clerk asked me for Money: we took our Beer of *Mr. Rudge*. I have likewise denied him to *Mr. Hopkins* a Glazier.

Q. Where was *Green* when you denied him to *Mr. Rudge's* Clerk?

Cardel. Sometimes he has been out, but I have denied him when he has been above Stairs in the House.

Counc. Def. Had not your Master a Lodging at Hackney?

Cardel. Yes, but *Mr. Rudge* served us with Beer in Town: I can't tell whether he did the same in the Country.

Counc. Def. Then you don't know but that *Mr. Rudge* and your Master might have settled Accounts?

Cardel. I don't know that they did.

Q. Did *Hopkins* the Glazier do any Business for your Master?

Cardel. I can't say that: I have heard that he glaz'd the House.

Mr. Coningsby. I was one of the Commissioners named in this Commission, and it was on the 15th of Nov. 1740. *Mr. Malmot*, *Mr. Salkeld*, and myself took the Oath as the Act directs. The Purport of it was, "I *Roger Coningsby* do swear, I will faithfully and impartially execute the Trust reposed in me; so help me God." We that Day declared the Defendant a Bankrupt. *Mr. Malmot*, *Mr. Salkeld*, *Mr. Whitorne*, and myself were

Commissioners, and this is the original Declaration made by us as Commissioners.

Here the Declaration was read, together with the Notice in the Gazette, for *Prior Green* to surrender himself for Examination, the 24th of Nov. and the 1st and 30th of Dec.

Mr. Coningsby. The Defendant did surrender himself on the 24th of Nov. but for the Particulars of the Examination, I must refer myself to the Proceedings which I have sign'd.

They were read, and it appear'd by them that the Defendant did surrender himself to *Mr. Coningsby*, *Mr. Malmot*, *Mr. Conway*, and *Mr. Whitorne*, and that being on Oath, he said he was prepar'd to make a Discovery of his Effects, there fore desired farther Time, which accordingly was granted.

Counc. Did *Mr. Whitorne* qualify himself when he sat?

Mr. Coningsby. I must beg Leave to refresh my Memory; if you will cast your Eye upon the Place, you will find he was sworn.

Counc. Now as to the Defendants signing his Surrender; — is that his Hand-writing?

Mr. Coningsby. I believe it to be so by my signing it, and I am very sure it was read to him, for I never allow these Things to be sign'd till they are read carefully over.

Counc. Def. Is it not common to take these Things away from the Table, and not sign them before you?

Mr. Coningsby. No, they are always sign'd before me. The next meeting we had was on the 15th of December, at the *Crown Tavern*, but I beg to be guided by the Proceedings all along, though I very well remember I was there. *Thomas Macker Green's* Apprentice was there, but he had received great Threats from his Master, and it was sometime before we could give him Spirits, but at last he was examin'd, and I believe this might be his Examination. *Mr. Green* bid us Defiance very much, and behav'd quite unbecoming his Condition.

Counc. Was he sworn then?

Mr. Coningsby. I verily believe he was, but I can't tell who swore him, for sometimes one does it, and sometimes another. I am sure one of the Commissioners gave him the Oath. I can't remember the particular Questions and Answers at that Time, but it appear'd to us, that he had paid *Wm. Warden* his Book-keeper, at his Shop in *Moorfields*, 20 *l.* which he represented to us as a fair Debt, whereas no such Money was due.

Mr. Goulder. I was Clerk to this Commission, and when the Defendant appear'd on the 15th of

December, 1740, I was present all the Time: There was an Enquiry made with regard to 20 l. that he had paid to one *Warden*, and which *Warden* returned him again: He said it was all due to *Warden* for Wages and Board: He was contradicted in that by a Receipt in full but the *Midsummer* before, for Wages and Board. He was then asked, if *Warden* did not return him that 20 l. again, and he said he did not. This was at the *Crown Tavern*, and I believe he was an Hour on his Examination. There is another Examination of the 17th of February, and for Particulars, I must refer to that.

Counc. Def. Did not you fetch the Defendant from an Alehouse the 15th of December, for Examination?

Mr. Goulder. No, I never was at an Alehouse with him in my Life: He might be fetched from thence for ought I know.

Counc. Def. Was he not disguised in Liquor?

Mr. Goulder. He might for ought I know, for he behaved very badly, and I believe he had been drinking pretty freely; but he was pretty sober when he attended the Commissioners afterwards, and then he accounted for the 20 lbs.

Counc. Def. Was he ever offered his Certificate?

Mr. Goulder. I can't tell.

Council to Mr. Coningsby. Do you think that the Defendant was on the 15th of December so disguised as not to be examined?

Mr. Coningsby. To be sure if I had thought him so, I would not have examin'd him; but what with Passion or Liquor, he seemed always to be outrageous: I never saw him otherwise.

Mr. Goulder. I believe he generally was in Liquor, except the last Day, which was the Time that he explained himself; then he was tolerably sober.

The Lord Chancellor's Order, for enlarging the Time for the Defendant, was read, being first proved by *Mr. Goulder*.

Mr. Coningsby. This Examination was taken in February, 1740, and I saw the Defendant sign it.

It was read, and the Purport of it was, That *Prior Green* surrendered himself the 17th of February, 1740, to the major Part of the Commissioners, and upon Oath said, That the Writing mark'd D, the several Books mark'd A B C, and

the Writings mark'd E and F, did contain a full Disclosure of all his Effects.

Then several Interrogatories, which were sent to the Defendant, were read to the following Effect.

Did you, or did you not go from your late Dwelling-house in *Cheapside*, to the *Crown Tavern* in or near *Bloomsbury*?

The Answer was,——That the Defendant did some Time before the Commission, go to the *Crown Tavern* in *Bloomsbury*.

Did you, or did you not carry with you, an Iron Chest?

The Defendant said,——He did get a Porter to carry an Iron Chest to the *Crown Tavern*.

What was contained in it? What Money, &c.?

——There were a Silver Tankard, six large Spoons, six small Tea-spoons, and a small Sum of Money, not exceeding 20 l. and no other Effects whatsoever, &c.

The last Question, contained in the Writing mark'd F, was, Did you not, on or about the 13th of November, 1740, pay *William Warden* Twenty Pounds, and whether he did not return it again?

The Answer was,——That he did pay 20 l. and that *Warden* did return it again.

Thomas Malcher, the Defendant's Apprentice, deposed, That *Warden* was first his Master's Journeyman in *Cheapside*, and afterwards at his Shop at *Moorfields*, and that *Cardel* lived with him at the same Time: That on the 13th of November, before the Commission came out, the Defendant told *Warden*, he had received a Sum of Money from *Mr. Waters*, a Baker, and desired him (*Warden*) to give him a Receipt for 20 l. for fear he should he called to an Account for the Money, at the same Time telling *Warden*, he might receive the Money, and give it him again: That a great many Persuasions were made use of, and at last *Warden* did give him a Receipt, and paid the Money back again to the Defendant, in the Space of five Minutes: That he (this Witness) was in the Room at the same Time, and that one *Edmund Eyles*, who is dead, was a Witness to the Receipt: That after the issuing of the Commission, he moved two Stove Grates to his Mother's House; that one of them was by the Defendant's Orders taken away by a Porter, and the other was put into a Coach in *Cheapside* and carried off. This Witness added, That he was sent by *Warden* to fetch a Shop-Book which was concealed

in an Alley in *Moorfields*. Being asked, Whether there were not some Iron Bars put up at the Defendant's House, to prevent his throwing himself out of the Window, he answered, He believed there were some put up, but he believed they were to prevent him from doing himself any Mischief when in Liquor.

We can only say in general, that several Witnesses was called by the Prisoner's Council, to prove, that the Property of the Goods in Dispute, was not the Prisoner's, but other Peoples; and others, to prove, that he had for some time past committed Acts tending to Lunacy; and it being allowed by the Attorney for the Prosecutor's that the Debts proved, amounted to 1300 *l.* and that they had received in Money and Effects 1100 *l.* upon the whole the Jury acquitted him.

64. *Elizabeth Watson*, was indicted for stealing 5 Moidores, 4 Guineas, and some Silver, the Property of *Trifina Eferard*, March 31.

Guilty.

65. *Cher Montuch*, was indicted for assaulting *Mongus Linman*, and stealing from him a Silver Watch and other Things, March 4.

Acquitted.

66. *Francis Ashby*, was indicted for stealing 3 *l.* 3 *s.* in Silver, the Property of *George Sinclair*, March 28.

Acquitted.

67. *Margaret Barrer*, was indicted for stealing ten Guineas and a half, from the Person of *Thomas Watson*, March 16.

And,

68. *Catherine Thompson*, for receiving two Guineas and a half of the said Money, knowing it to be stolen.

Barrett was found guilty, and *Thompson* Acquitted.

69. *James Dodgson*, was indicted for stealing a double gilt silver Tea Spoon, and other Things, the Goods of *Peter Capriol*, March 23.

70, 71. *Matthew Dearney*, and *Sarah Cor*, was indicted for stealing a silver Watch, and other Things, the Goods of *John Coates*, March 8.

Both acquitted.

72. *William Crant*, was indicted for breaking and entering the House of *Henry Long*, and stealing a Pair of mens Shoes, and other Things, April 7th.

Guilty.

73. *George Whitshire*, was indicted for stealing three pieces of Mullin, value 7 *l.* the Property of the *East-India Company*, March 12.

Guilty 4 *s.* 10 *d.*

74. *Joseph Salmon*, was indicted for stealing of the Shop Window of *Thomas Sibby*, a Piece of Bacon, value 7 *s.* March 10.

75. *Margaret Pierre*, otherwise *Talbor*, was indicted for picking the Pocket of *Thomas Tilbury*, of 15 *s.* Feb. 27.

Acquitted.

76. *Mary Bines*, was indicted for stealing a Quantity of Lead, the Property of *John Coxall*, March 16.

Guilty 10 *d.*

77. *John Dixon*, was indicted for stealing six Bobins of Silk, the Goods of *Elizabeth Harrison*, Feb. 27.

Acquitted.

78, 79. *George Sinbin*, and *Joseph Dudev*, was indicted for stealing out of the Shop of *Benjamin Powell*, a Cheese, March 27.

Sinbin Guilty Felony, and *Dudev* Acquitted.

80. *Richard Horselman*, was indicted for stealing two Brass Candlesticks, the Property of *Mary Colstain*, March 9.

Acquitted.

81. *James Pratt*, was indicted for stealing out of the Lodgings of *Thomas Evers*, his Master, a gold lac'd Hat, March 10.

Guilty 10 *d.*

82, 83. *Elizabeth Moore*, and *Ann Moore*, was indicted for stealing out of the dwelling House of *Barbara Battin*, a Silver Spoon, March 23.

Both guilty.

84.

N. B. The further PARTICULARS of the TRIAL of *PRIOR GREEN*, by the unavoidable Indisposition of Mr. *BROOKER* the Compiler, the Proprietors of this PAPER cannot oblige the PUBLIC with at present, and humbly hopes their DELAY, in publishing this SECOND PART so many Days after the former, (to their very great Loss) will be interpreted as it really is, a Willingness to have obliged the PUBLIC had it been in their Power, and promise to give it genuine in the next Paper, in Case Mr. *BROOKER* recovers.

84. **Martha Penny**, was indicted for stealing a *Leghorn Hat*, and other Things, the Property of *Sarah Bolton*, April 7. Guilty.

85. **Thomas Catling**, was indicted for stealing out of the Stable of Col. *Huffain's*, a Saddle and a Great Coat, Value 4 s. April 24. Guilty.

86. **James Jones**, was indicted for stealing out of the Lodgings of *Paul Degen*, a Feather Bed and other Things, April 10. Acquired.

87. **Mary Weeks**, was indicted for stealing a Silver Tea Spoon, and a Holland Apron, the Property of *David Hughes*, March 22. Guilty.

88. **John Charlton**, was indicted for entering the House of *William Hide*, and stealing from thence two Coats and other Things, April 28. Guilty.

89. **Lawrence Crab**, was indicted for single Felony and acquitted.

90. **John Bullenger**, was indicted for assaulting *Christian James*, and robbing her of 6 d. March 7. Acquired.

91. **John Atkinson**, was indicted for stealing two pieces of Irish Linnen, value 30 s., out of the Warehouse of *Matthew Cox*, February 27. Guilty 10 d.

92. **William Cooper**, was indicted for stealing a Parcel of Coney Wool, Value 5 l. the Property of *Henry Butler*, January 23. Acquired.

93. **James Taylor**, was indicted for stealing a Half Peck Loaf, out of the Basket of *Robert Mason*, March 5. Acquired.

94. **Peter Triquet**, was indicted for privately stealing the Handkerchiefs from the Person of *Tho. Pearce*, and others, at St. Paul's Church, March 21. Guilty 10 d.

95. **James Harris**, was indicted for stealing a Pair of Sheets, value 5 s. the Property of *Sarah Carlton*, April 23. Guilty 10 d.

96. **Ferdinando Lee**, was indicted for breaking open the House of *Mary Pickett*, and stealing from thence a Shoulder of Mutton, and other Things, March 8. Guilty 10 d.

97. **James Ballis**, was indicted for stealing a Parcel of Coals in the Lighter of *Paul Morgan*, value 1 s. March 8. Acquired.

98. **Susannah Smith**, was indicted for stealing two Pewter Dishes, value 1 s. April 5. Acquired.

99. **Amy Bitchin**, was indicted for stealing two Guineas, from the Person of *H— J—*, March 15. Acquired.

The Trials being ended, the Court proceeded to give Judgment as follows :

Received Sentence of DEATH, 8.

Samuel Wood, John Carpenter, Edmund Larret, Elizabeth Powel, Richard Cooley, Charles Newton, Robert Rhodes, and John Burnham.

BURNT in the HAND 4.

Robert Pannel, Elizabeth Newbury, Mary Wick, and H— J—.

To be WHIPPED, 4.

Elizabeth Alkwright, William Bristow, Elizabeth Twiss, and Anne Moore.

TRANSPORTATION, 40.

John Atkinson, William Briers, Robert Bunch, Sarah Burk, John Emes, James Harris, Ferdinando Lee, Frederick Mackennis, George Moon, Richard Roper, John Salmon, James Steadman, Peter Triquett, Thomas Wilks, George Wiltbear, Hannah Adley, Margaret Barret, Ann Barrett, Mary Bide, Tho. Catlin, John Charlton, Patrick Donegan, Elizabeth Earle, Thomas Glover, John Glynn, Wm. Grant, Jane Green, George Henry, Ruben Kilburn, Elizabeth Lyons, Ann Macdonald, Mary Miller, Martha Penny, Elizabeth Pinner, George Pope, James Pratt, John Read, George Scriven, Eliz. Sutton, and Elizabeth Watson.

Thomas Pinks being called down to his former Judgment, was asked why Execution should not be awarded against him : acknowledged himself the same Man, and was ordered for Execution.

Sir ROBERT GODSCHALL, Knight, Lord-Mayor.

GOD Save King GEORGE.

The next ensuing Sessions to begin on *Thursday* the 3d of *JUNE* next, at Eight o'Clock in the Morning.

N. B. Whoever presumes to print any of these Trials will be prosecuted with the utmost Severity.

98. *Guinean Guinea*, was indicted for stealing a pair of *Lower Guinea* value 10/-

99. *Guinean Guinea*, was indicted for stealing two *Guineas*, from the *Prison of H* -

The *Prison*, being indicted, the Court proceeded to give judgment as follows:

Received Sentence of *Death*, 10/-

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100. *Guinean Guinea*, was indicted for stealing a pair of *Lower Guinea* value 10/-

101. *Guinean Guinea*, was indicted for stealing two *Guineas*, from the *Prison of H* -

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THE
PROCEEDINGS

AT THE

Sessions of the Peace, Oyer and Terminer,

FOR THE

CITY of LONDON,

AND

County of MIDDLESEX,

ON

THURSDAY the 3d and FRIDAY the 4th, of JUNE.

In the 15th Year of His MAJESTY's Reign.

NUMBER V. for the YEAR 1742.

BEING THE

Fifth SESSIONS in the MAYORALTY

OF THE

Right Hon^{ble} Sir Robert Godschall, Knt.

LORD-MAYOR of the CITY of LONDON.

LONDON:

Printed and Sold by T. PAYNE, in Bishopsgate-Street, near the
South-Sea-House. M,DCC,XLII.

Where may be had any of the former Numbers in this Mayoralty.

(Price SIX-PENCE.)

THE PROCEEDINGS

AT THE

Sessions of the Peace, Oyer and Terminer,
For the CITY of LONDON, &c.

BEFORE the Right Honourable Sir ROBERT GOMSCALL, Knt. Lord-Mayor of the City of London; Mr. Justice CHAPPLE; Mr. Baron ABNEY; Mr. Justice BURNET; Mr. Serjeant URLIN, Deputy-Recorder, and others his Majesty's Justices of Oyer and Terminer for the City of London, and Justices of Goal-Delivery of Newgate, holden for the said City and Countrey of Middlesex.

London Jury:

Robert Farwrey,
Lawrence Hewsham,
Richard Chapman,
Joseph Winkles,
John Harman,
John Farwberry,
William Adams,
John Cooper,
John Swan,
Robert Reynolds,
John Harwood,
John Cordin.

Middlesex Jury:

Henry Woolley,
Samuel Lightenhouse,
William Harwood,
John Newman,
Henry Herman,
Francis Ragg,
Charles Church,
Edmund Munning,
George Shemell,
Ambrose Atkinson,
Thomas Harrison,
George Shaw,

1, 2. Deborah Fisher, and Mary Alsop, were indicted for stealing four Sticks of Fustick,

weighing 36 Pounds, the Goods and Property of Persons unknown, May 7, Guilty 10 d.

3. John Diggison, was indicted for stealing one Stick of Fustick, weighing 55 Pounds, the Goods and Property of Persons unknown, May 7, Guilty 10 d.

4. William Shad, was indicted for breaking and entering the House of Enoch and John Stepple, and stealing two Bags of Money, one of Gold and the other of Silver, to the Value of 190 Pounds, the 7th of May last.

Enoch Stepple. The 7th of May, at eleven o'Clock at Night, I went to Bed and left my Son (who is my Partner) up, and about five in the Morning, he came up and told me, that the House was broke open, and we were robb'd; that the Drawer in the Bar was broke to Pieces, that the House was broken into up one Pair of Stairs, that a Pane of Glass was taken out, and the Casement l^o open, and that the House-door was unlock'd and left open. My Lord, I mis'd the two Linnen Bags, one of Silver, and the other of Gold, in which there was upwards of 190 Pounds in Gold and Silver. My Lord, I did not suspect the Prisoner, who lived next Door to me, and was an Apprentice to a Barber and Perriwig-maker; but, my Lord, last Sunday

was

N. B. The following are capital Offences.

Privately stealing above the Value of one Shilling from the Person; stealing the Value of five Shillings out of a Shop, Warehouse, Coach-house, or Stable

Stealing the Value of forty Shillings out of a Dwelling House; Stealing of Sheep, or other Cattle, or killing Sheep, &c. with an Intent to steal, is made Felony by an Act of the Fifteenth of his present Majesty.

Bigamy is made Felony by the Statute of the first of King James I.

was ten Night, I was in the Country at Hackney, and the Prisoner's Master came and told me, that he had taken the Person that had robb'd me, and had got the greatest Part of my Money: I came Home on Monday, and went to the *Sun-Tavern*, in *Milk-Street*, where the Prisoner was brought from the *Compter*, by the Constable. I ask'd the Prisoner which way he robb'd me. He said, that he clamber'd up the Out-side of the Bar, in the Court, and got up into the Coving of the first Floor, and that he drew up a large Sash Window, that open'd into the first Floor, and the Shutter being fast pin'd, he could not get in there; that then he went to the Casement that was on the Stair-case, and took out a Pane of Glass (a square Piece of Glass) and put his Hand in, and opened the Casement in the Inside. I ask'd him, whether he took the Pane of Glass out with a Knife, and he said no, he did it with his Nail: he said, that then he went into the first Floor, and came down Stairs, and open'd the Bar-door, and went into the Bar, and broke open the Drawer with a Chissel. I ask'd him, how he came by the Chissel, he said, he bought it for that purpose. I then ask'd him, where it was, and he said, that he had thrown it away: He then own'd that he took both Baggs of Money away, a Bag of Gold and a Bag of Silver. I ask'd him, what he did with them, he said, that he went into his Master's House, that the Door he had left upon a jar, and went up Stairs, and hid the Bag of Gold between two Stacks of Chimneys at the Top of his Master's Leads, and then went down upon the Leads of the Church, and hid the Bag of Silver in a Hole under the Roof; then I took the Bank Note that he had of 100*l*. and asked him, whether the Money that fetch'd that Bank Note was mine, and he said it was. My Lord, there was 18*l*. that he had lodg'd in a young Man's Hands, at the other End of the Town, and he said, that that was also my Property, and the young Man's Master delivered the Money up to us. This he own'd before Sir George Champion, and discharg'd the Person that he pretended to be his Accomplise.

Prisoner. When you got up in the Morning, did not you ask my Master if I was at home?

E. Stepple. I did not.

Prisoner. Did you not find that I was at home at five o'Clock in the Morning, when you found your House was broke open?

E. Stepple. I was a-bed at five.

John Stepple. About half an Hour after eleven at Night, the 11th of May last, my Father seem'd very sleepy, and I asked him, whether he would not go up to Bed, and he went up to Bed, my Mother was gone up before. About twelve o'Clock at Night, I told my Money, and put it into these two Bags, and lock'd the Drawer, and put the Key into my Pocket, the Company being all gone, I went all round the House, and put my Hand against this Casement that was broke open, and it was safe. The next Morning I call'd the Men up at five o'Clock, as I always do, and they went down Stairs, and in about five Minutes time, the Men came and told me, that the Door was broke open, and the Till was broke, and I came down and found it so, and I miss'd the 2 Baggs, one of Gold, and the other of Silver, there was in them, 195 Pounds, or thereabouts; there was 96 Guineas carried to the Bank, and 8 Guineas and half a Moidore, I found at an Aunts of this Lads in *Black-Fryars*, he told his Master that he had lodg'd them there. When I came down and found my House broke open, I saw upon the Table by the Bar, the Marks of his Feet, and the two bends of his Knees upon the Top of the Leads over the Bar. He endeavour'd to take out one Pane of Glass, but could not; he then took a Pane of Glass out over that, and then open'd the Casement. The Saturday Sen'night after, a Gentleman came to me about 9 at Night, and desired I would go and fetch a Constable, for he had got the Thief, and then we went into his Master's Shop, and took him out, and had him to the *Nagg's-Head-Tavern*, and we had there the young Fellow that had got the 18 Pounds, that he (the Prisoner) had left in his Hands. Mr. Brigg's asked *Shad*, where he had the Money, and he said that he found it; but before that, he had told Noel Gregory, that he had made Wigs for it, and then Mr. Briggs took him into another Room with his Master and another Gentleman.

Court. Was you there?

J. Stepple. No. The Sunday Morning I went to him to the *Compter*, and told him, that I was sadly afraid, that he had impeached an innocent Person, and that I had very good Reason for it; that if a Person had been concerned with him in the Robbery, he would not have taken the Bag of Silver for his Share; and then he cried, and said, his Life laid in my Hands, and he then confess'd, that the Person that he

had

had impeached was not Guilty: I ask'd him what he had done with the Bagg of Silver, he said, he had hid it under the Roof upon the Leads of the Church, I went the next Morning and took him out of the *Compter*, and got a *Carpenter*, and we went and took up a couple of Boards according to his (the Prisoner's) Direction, and we found it, and he (the Prisoner) was with us when we found it.

Court. Did he mention in what manner he got into the House?

John Stepple. Yes Sir, at the *Sun-Tavern*, on Monday, he said, that he went to an *Iron-monger*, and bought a Chissel the Night before, and said that he got upon the Table underneath the Bar, and got up the Bar, and with his Nails he undid the Lead of the Window, and came down, and broke the Drawer open. I ask'd him what he had done with the Chissel; he said he had thrown it away, that he had taken two Baggs out, and that there was no more than 139 Pound in Gold.

Court. What Time of Night did he say it was?

John Stepple. He said it was pretty near 3 o'Clock; I ask'd him how long he was about it, and he said he was about a Quarter and half a Quarter of an Hour, from the Time of his going out of Bed, till the Time he got in; and he said he took up the Lad that laid with him, 3 Times in his Arms, and threw him down upon the Bed to try whether he would awake.

Prisoner. I would ask him whether I ever told him, that I took the Lad up 3 Times and threw him down again to see whether he would awake or not.

John Stepple. He said he did to see whether he would awake before he went out.

John Peisley. My Lord the Prisoner at the Bar is my Apprentice, and last Saturday was 7-night he was taken up for robbing Mr. Stepple, and was taken to the *Nagg's-Head Tavern*. Soon after they sent for me, and we took him into a Room and charged him with robbing Mr. Stepple, and in a little time he confess'd.

Court. What did he confess?

John Peisley. He confess'd that he and another, broke into Mr. Stepple's House.

Court. Who was that other Person?

John Peisley. I have forgot his Name.

Court. Did he mention the Time?

John Peisley. He (the Prisoner) said it was between two and three o'Clock in the Morning,

that he assist'd him up to the Bar, and that he took out two Baggs, that the Bagg (of Gold) that he (the Prisoner) had there, was 139*l.* in it, that in the Bagg of Silver, he did not know what was in it, for that, he said the other Person had. I ask'd him where the 139*l.* was, and then he (the Prisoner) put his Hand into his Pocket, and pull'd out a Key and gave it me, and told me, that if I would go up into the Garret, and open his Desk, and pull out the Drawer, that behind that Drawer was a private Drawer, and that there, he said I should find a Bank Note of 100*l.* Accordingly I went and found it, and brought it back to the Tavern, and Shew'd it them, and he (the Prisoner) said, that that 100*l.* Bank-Note, was got with Mr. Stepple's Money, that he had put into the Bank the Monday before. There was 8 Guineas and half a Moidore left in a pair of Pumps, at an Aunts of his, in *Black-Fryars*, and I, and Mr. Stepple, went the Sunday following, and found it as he had told us.

Prisoner. I desire to know whether you did not ring me up that Morning (the Morning the Robbery was committed) and whether I did not come down as usual?

John Peisley. Yes you did.

Prisoner. Did I not go to Bed between 10 and 11 o'Clock that Night?

John Peisley. My Wife said you did.

Court. Prisoner, what have you to say in your Defence?

Prisoner. My Lord, as I was going towards *Bucklers-Bury*, I found a Bagg, in which was contained Gold and Silver to the amount of 140*l.* or thereabouts, I carried the Gold and lodg'd it in *Black-Fryars* till the Monday following, and then I took a 100*l.* and carried it to the Bank, and took a Bank-Note for it, I was not willing to make it known, because I did not know, but there might be some one or another, lay claim to it, and I might loose the Money by it; and my Lord, I found it in one Bagg only.

E. Stepple. My Lord, the Bagg that the Silver was in, I can swear to it.

Court. Prisoner, have you any Witnesses to call?

Prisoner. No, Sir.

Court. Have you any thing more to say?

Prisoner. No Sir, I lie at the Mercy of the Court, and I hope your Lordship will consider my Youth.

E. Stepple.

E. Stepple. My Lord, as the Prisoner is a Young-Man, and this is his first Fact, I would recommend him to the Mercy of the Court.

The Jury acquitted him of the Burglary, but found him guilty of the Robbery. 4s. 10d.

5, 6. *Ann Godfrey* and *Margaret Badcock*, were indicted for stealing a Silver Pint Mugg, value 4s. the Goods and Property of *John Hall*, the 28th of May last.

Margaret Badcock, Acquitted: *Ann Godfrey*, guilty 39s.

7. *John Dewtrofs*, was indicted for assaulting and robbing *Miles Haviland*, on the King's-Highway, and taking from him one Iron Cock Key, and a wooden Leaver, value 5s. May 11, the property of the *New-River Company*.

Miles Haviland. The 10th of May, about 12 at Night, as I was going through *Hodgson*, I met the Prisoner and another with him, the Prisoner was coming down the High-Road, and the other in the foot Path, the Prisoner came up to me, and clapp'd a Pistol to my Breast, and demanded my Money, I said I had none, he said D—m you, you have Money, and if you do not immediately deliver it, I'll shoot you through the Body, then the other came up and searched my Pocket, and I had only a Counter in it; he was then going to take my Watch, and I hit his Hand aside, then he took hold of my Throat, and almost choak'd me, I pushed him away, and then the Prisoner snapp'd his Pistol at me; then I turned him (the Prisoner) round, and ran away, to the Watch-house, the Watchmen came immediately with me, and in returning we met 2 Men, the Moon shining very bright, I knew them to be the Persons who robb'd me, I seized the Prisoner, and the other ran away.

Court. Which of them took the Key and Leaver.

Haviland. I can't tell which but they was taken off my Shoulder.

Thomas Lonell. And please you my Lord, on the 10th of May about 12 at Night, Mr. *Haviland* came to our Watch-house in a very great Fright with his Watch in his Hand, and said he was robb'd, we ask'd him where, he said just by the *London Prentice*; we went to his Assistance, and found his Hat and Wigg going along, we had not got 50 Yards farther before we met 2 Men, he challeng'd the Prisoner and said this is the Man that presented his Pistol to shoot me, and the other ran away.

Court. Were the two Men going back, or coming forward?

Lonell. They were coming forward.

Court. Do you know any Thing of a Pistol?

Lonell. There was a Pistol found the next Morning, but whether it belong'd to them or not I cannot say.

Another Watchman. Mr. *Haviland* came to our Watch-house and said, he was robbed by two Men, we went immediately along with him, and he took hold of the Prisoner, and said, this is the Man that clapp'd the Pistol to my Breast, and the other Man ran away.

Court. Do you know any thing of a Pistol being found?

Watchman. No, my Lord.

Court. Was *Haviland* sober when he came to the Watch-house.

Watchman. Yes, my Lord.

Constable. I was Officer for the Night, the Prisoner was committed to my Charge; these Things I saw the Watchman take from the Prisoner, 2 Knives, 2 Flints, a Tobacco box, and a Heal-Spur.

Prisoner's Defence:

Last Sunday 3 Weeks, I came to *London* from *Herefordshire*, to see my Sister that is married, whom I had not seen for 22 Years; when I came to her House, we drank together, and was very merry, and going out of her House to do my Occasions, I was taken up by these Men, there was nobody along with me, but God and myself.

Anne Holland. And please your Honour my Lord, the Prisoner is my Brother, whom I had not seen for 22 Years; he came to my House about 7 at Night the 9th of last Month, he lay at our House that Night, and staid 'till twelve the next Night, when he was taken up; he went out of the Door, and mist his way in returning; when he was going out, I said, Brother, where are you going, and he said, only to do that you can't do for me. He had no Arms with him, only two Knives, a Tobacco-box, and Flint, which he used to strike Fire with when he smoaked. I live near the *London Prentice*.

Acquitted.

8. *Mary Terry*, was indicted for stealing 4 Pewter Plates, value 2s. the Goods of *Thomas Hopkins*, May 22, Guilty.

9. *Mary Wallis*, alias *Dickenson*, was indicted for stealing the fore Bodys of a Cloth Coat, the Goods of *William Lane*, May 10.

Guilty 4 s. 10 d.

10. *Mary Britton*, was indicted for stealing one Blanket, value 4 s. the Goods of *Richard Church*, May 25.

Acquitted.

11. *William Fairfar*, was indicted for stealing four Pound of Iron, value 1 s. and 36 Pound of Iron value 5 s. the Property of *Thomas Blackley*, May 15. Guilty.

12. *Isabella Roberts*, was indicted for stealing a Silver Watch Chain, value 2 s. two Tea Spoons, value 4 s. and other Things, the Goods of *Henry Jacob*, May 11.

Acquitted.

13. *James Taylor*, was indicted for stealing a Blanket, value 3 s. the Property of Persons unknown, May 2.

Acquitted.

14. *Elizabeth Hubbins*, was indicted for stealing 14 Bundles of Rosemary, value 8 s. the Goods of *Jacob Thompson*, May 25.

No Evidence appearing, the Prisoner was acquitted.

15. *Sarah Bailey*, was indicted for stealing a Scarlet Cloak, value 5 s. 2 Sheets, value 5 s. an Apron, value 1 s. the Goods of *John Briton*, May 15. Acquitted.

16. *Elizabeth Barber*, was indicted for stealing three Shirts, value 8 s. three Aprons, value 3 s. and other Things, the Property of *Mary Conolly*, May 15. - Guilty.

17. *Margaret Grant*, was indicted for stealing 7 s. 6 d. from the Person of *Thomas Edwards*, May 29.

Court. How old are you?

Edwards. I can't tell.

Court. Can't you guess?

Edwards. About 17.

Court. Where was you born?

Edwards. In *Wales*.

Court. What Business are you?

Edwards. I'm a Letter-Founder.

Court. What have you to say against the Prisoner at the Bar?

Edwards. Last Saturday Night, as I was going from *Moor-Fields* to my Lodging at my Uncles in *Chiswell Street*, I met a Woman, and she ask'd me to drink Gin.

Court. What Time of Night was it?

Edwards. I can't tell, it was pretty late.

Court. Can't you tell what Time it was, was it pretty near 11 or 12 o'Clock?

Edwards. It might be 11 or 12 at Night. She asked me to go and drink Gin, and we drank 2 Quarterns.

Court. Was it a public or private House?

Edwards. I can't tell.

Court. Was you drunk?

Edwards. I was neither drunk nor sober.

Court. It was enough to make a *Welsh Boy* drunk.

Edwards. Afterwards this Woman bid me go up Stairs, and a Man that she called her Husband, came to us, then they threw me down upon the Bed, and took 7 s. 6 d. out of my Pocket.

Acquitted.

18. *Garret Wandyske*, was indicted for stealing 40 Iron Hoops, the Goods of *John Brown*, May 15.

Guilty 10 d.

19. *Thomas Miller*, of *Tawickenham*, was indicted for that he, not having the Fear of God before his Eyes, and being mov'd by the Instigation of the Devil, did assault *Sarah* his Wife, giving her several mortal Blows and Bruises upon her Head, and divers other Parts of her Body, Dec 6th, of which said mortal Blows and Bruises she languished till the 19th of December, and then died.

He was a second Time indicted on the Coroner's Inquest:

Court. Do you know the Prisoner at the Bar?

Martha Love. Yes, my Lord, and I knew his Wife, and I saw him strike her and knock'd her down with his Fist.

Court. What Time was it?

Martha Love. It was of a Sunday, the 6th of December last, and they quarrell'd about two or three Turnips that were put in the Pot.

Court. Where did they live?

Martha Love. They liv'd upon *Tawickenham Common*, and I saw him in their own House knock his Wife down with his Fist, and then he run and fetch'd a Club out where the two Hens and a Cock were.

Court. What Club was it?

Martha Love. It was a great swinging Stick.

Court. Was she down?

Martha Love. Down! Yes my Lord he knock'd her down like a. Ox, and she bled like an Ox at her Nose, Eyes, Ears and Mouth; and I was afraid that he would knock me down too, so I

ran out and cry'd *help*, to their Neighbours and Brother-in-law, and they all came in.

Court. Did you return with them?

Martha Love. No, my Lord, but I went in afterwards as soon as he was gone out of the House, and she said, he had killed her, and that was the first Word she said after my Return; and she said so several Times; and she said, that he stamp'd upon her Stomach, but I did not see it.

Court. Did you see him strike her with a Club?

Martha Love. No, I did not see him strike her with a Club?

Prisoner. Did you see me with a Club in my Hands?

Martha Love. Yes; Do you see me?

Court. What Club was it?

Martha Love. As near as I can guess, it was the Club of a Hough.

Elizabeth Robertson. As I was a Nurfing, I heard that Mr. Miller was come home, and had almost kill'd his Wife, and I went and saw her, and she said, that the Blows she receiv'd upon her Breast, would kill her.

Court. Did you see any Marks of Violence?

Eliz. Robertson. Yes, there were a great many, she was bruised all over upon her Face, Head, Arms and Legs, but most upon her Stomach, and she said the Blows upon her Stomach would be her Death.

Court. When did she say so?

Eliz. Robertson. Not above half an Hour before her Death.

Prisoner. Was not my Wife subject to Fits?

E. Robertson. I know nothing of it.

Eliz. Hanstead. When the Prisoner's Wife was ill she sent for me, and I went to her, and found her in a very bad Condition, her Face, Stomach, Thighs, Legs and Arms was very much bruised, and very black.

Prisoner. Was not my Wife subject to Fits?

Eliz. Hanstead. Not to my Knowledge.

Thomas Barker. Mr. Miller came to me the Day before his Wife died, and desired me to come and let her Blood.

Court. Are you a Surgeon?

Thomas Barker. Yes, my Lord, I went and let her Blood, and I found she had violent Bruises upon her Stomach, just below her Midriff, and I took that to be the Cause of her Death, she had a violent spitting of Blood, there were various other Bruises, but none of them that I could presume to say could be her Death.

Court. Did you know her before?

Thomas Barker. Yes, my Lord.

Court. Was she used to have Fits?

Thomas Barker. She was very much subject to Fits?

Court. Do you think that her Fits would occasion those Marks that she had?

Thomas Barker. No, my Lord, and how she came by those Bruises I cannot say, for I never asked what was the Cause of them.

Court. Was her Body open'd?

Thomas Barker. Her Body was not open'd because the Parish would not be at the Charge of it.

Prisoner. Was not her Fits turn'd to inward Fits?

Thomas Barker. Not I know of.

Samuel Smith. My Lord, I went and saw the Prisoner's Wife the same Day her Husband had used her in the manner he did, and she said, that the Blows she received from her Husband would be her Death, she had nothing to nourish her, and I believe she would not have liv'd so long as she did if I had not sent her some Provisions, for there was nothing but a Bottle of Water and a Bit of Bread upon the Table.

Prisoner. Had not my Wife Fits at your House?

Smith. She never had Fits at our House but once.

Court. Did she bleed after these Fits?

Smith. No, my Lord.

Prisoner. My Lord she has been in Fits, and have not been able to speak in three Hours.

Court. Did you apprehend her Illness arose from Fits?

Smith. No, my Lord, she came to my House, and sat down by the Fire Side, and happened to fall in a Fit, and it held her 3 or 4 Hours, but not Speechless, and this was about 3 Weeks before he came out of Newgate.—After his Wife was dead he came to our House and called at the Window, and my Wife called out to him and said, *God bless you, get away, or you'll go to Newgate To-morrow*, and he went away, and never was seen in the Parish from that Day to this.

Prisoner. Did not I ask to lay in your House till the Morning?

Smith. He did not, my Lord.

Prisoner. I desire Mrs. Robertson may be asked that.

E. Robertson. When his Wife was dead we laid her out, and took the Child Home to the Prisoner's Brother-in-Law.

Court. Did he ask to lay there?

E. Robertson. Yes, and his Sister said, Go your Way or you'll go to Newgate.

Prisoner. My Lord, my Brother-in-law took away all my Goods.

Smith. My Lord, I have a Receipt for all the Goods I have, and he owes me above 7 l. besides.

Court to Prisoner. Have you any Witnesses to call?

Prisoner. No, my Lord.

Court. What have you say in your own Defence?

Prisoner. My Wife was very much troubled with Fits, and she told me that they would be her Death, and my Lord, I had 3 Children that died in Fits before, and after my Wife was dead I went to my Brother-in-law's, and said, as they had got all my Goods, I hoped they would bury my Wife, and they said, they would take Care to bury her. Guilty, Death.

20. *William Bury*, alias *Henry Parminter*, was indicted for marrying *Mrs. Sarah Proctor*, a second Wife, *Sept. 27, 1739*, his former Wife being now living.

The Counsel for the Prosecution in opening the Charge, took Notice that *Mrs. Proctor* came from her Brother's in *Somersetshire*, and lodged at *Mrs. Davidge's* a Milliner in *Covent-Garden*, where the Prisoner came acquainted with her and married her, and pretended to be a Person of very considerable Fortune; that as he understood her Fortune was not very large, and that as he had a Dependence on an Uncle, therefore desir'd it might be kept a Secret; he promised he would bring a Friend to be Witness of the Marriage; but when he came there was no body in the Coach with him, and the only Reason he gave for not bringing his Friend was, his Fear that his Uncle might know it. *Mrs. Proctor* was overpersuaded, and went with him to *Chelsea*, and there was married. He took Lodgings for her, and owned her for his Wife, and wrote a Letter to the Brother of this Lady, in which he calls himself his Brother; as one Artifice always wants another to support it, he thought proper to produce a Ring, in which was the Name of *Parminter*, which he said was his Brother deceased, this Crime is of a deep dye; because he had as good and virtuous a Wife as any Man. We shall bring the strongest Evidence to prove the Fact upon him, and doubt not but the Jury will find him guilty of the Indictment.

2d Council. My Lord, and Gentlemen of the Jury, I am Council on the same Side, this is an Indictment against *William Bury*, who went under the Name of *Parminter*, for marrying a second Wife; and we shall prove he wrote a great many Letters full of Love, and afterwards broke open her Box and took them away, we have some of those very Letters to produce, some with, and some without a Name; he told her she might enquire after him at one *Mr. Burys*, by the Name of *Parminter*, and said he had a very rich Uncle on whom he had a great Dependence, and therefore desired that the Marriage might be kept secret. On the 27th of *Sept. 1739*, he drove the young Lady from *Mr. Seaton's* in *Suffolk-street* to a House at *Chelsea*, and a Clergyman came and married them, he staid with her two Days, and then said he must leave her on account of Business; he afterwards moved her from Lodging to Lodging, and the Lady seeing him uneasy in his Mind, asked him what was the Matter? then he fell on his Knees and confessed the whole Fact, we shall shew you this Gentlemen, in a full Light, and we doubt not but you will find him guilty.

John Smith. This is the Register Book of Marriages for the Parish of *St. Saviour's Southwark*, Oct. 13, 1727, *William Bury* and *Anna Maria Fleetwood*.

Henry Parminter. I was at the Wedding Dinner, and they have lived together ever since as Man and Wife, I have lodged in his House in *Abchurch-Lane*, he has two Sons living by her, I cannot remember the Day nor the Year, but it was about 12 or 13 Years ago.

Sarah Proctor. The latter End of *May 1739*, I was first acquainted with him. That Man came to *Mrs. Davidge's* and enquired for me, I did not see him the first Time, he came again the next Day, I went with him into the Parlour, and there he told me, that he saw me a going to my Brother's, and asked who I was, and was told where I lived, on which he came to me, and there he declared how much he was in Love, and begged me to give him Leave to make me frequent Visits, which I refused, because he was a Stranger; after that he wrote Letters to me every Day, without my answering any one of them, on which he sent a Porter to me with a Letter, declaring how much he was in Love, he begg'd that if I would not give him Leave to come and see me, that I would meet him in *Somerset*

Somersets-Gardens, or the Park, he would often endeavour to get me into a Coach, but that I always refused till the Day I was married to him. He went by the Name of Henry Parminter, and he shewed me a Ring which he said was for his Brother William Parminter; he often pressed me to go into some House or Coach with him, saying I might venture, for he was no Boy. We were to have been married at Richmond, where he said he had taken Lodgings for me, but I put it off till my Friends knew of it, then he let me know that he had taken Lodgings at Chelsea, and we were to be married there, and he consented to let Mr. Seaton in Suffolk-street go along with us, but at Night he sent me a Letter, and in it said, that as the Thing was to be kept private, he would have no body with him but his Friend Bury; at 9 o'Clock I received this Letter, but I had before acquainted Mr. Seaton that he was to go along with us; he also said in the Letter, that he would bring a Friend along with him to be present at the Marriage, in the Morning he came there was none but that Man, (pointing to the Prisoner) in the Coach, I asked where his Friend was, and he said he would tell me in going along, which he did, and he said he was afraid Mr. Bury would tell his Wife, and then it would be blown. When we came to Chelsea we went into a House up Stairs, and there a Clergyman came and married us.

Counc. Do you know it was Chelsea.

Sarah Proctor. He told me it was Chelsea. I went to sit down in the Window, and he told me I must not sit down, and there that Man married me (he produced a Ring) and said, that is the very Ring which that very Man married me with. After we was married we went to the Hospital, and we din'd at a Gardiner's where we lodged, whose Name is Singleton. We staid 2 Nights and three Days there, and afterwards I went to Greenwich, and staid there from Saturday till Monday, he said he was obliged to go to Exeter on special Business, but he took Care to write to me every Post, that Man did (pointing again to the Prisoner) Exeter was stamp'd on the outside of the Letters. He staid there a Month, and on his Return I told him, it was fitting that my Brother should know of our being married, I told him that several had wished me Joy; why said he, several of my Friends have wished me Joy too.

Counc. Do you know that?

S. Proctor. I know no more than that Man told me so. I wrote to him at the Bath, and he told me in a Letter, he had a Grandmother dead, and desired I would put myself in Mourning, and that he would let my Brother know of the marriage.

Counc. When did you see him next, after he wrote about the Mourning?

S. Proctor. I did not see him till about the 14th of January.

Counc. Where did you see him next?

S. Proctor. He directed me to meet him in Somersets-Gardens, and I met him in the Street going thither.

Counc. When was that.

S. Proctor. It was in Jan. I was with Child when I went from Mrs. Davidge's, and had about a quarter to go, and while I was there, this Man came to me, and told me, he would go to my Brother himself, and discover the Marriage to him, but instead of that, I had a Letter from him, that his Uncle must not know it; after that he wrote to me, as from Rotterdam, when he came from Exeter, he came to see me, at one Mrs. Jones's, where I then Lodged, he disliked the Lodgings, and desired me to remove to one Mrs. Williams's, in New-North-Street, Red-Lyon-Square, and I was there about 13 or 14 Months, and was there deliver'd of a Daughter now alive. He wrote to me several Letters, acquainting that he had something to tell me, that would shock me to the last degree; when he came to me I desired to know what it was, whether he was in Debt, or had murder'd any body, as to his being in Debt, he said he was, for he was bound for a Person now dead, in a large Sum of Money. I ask'd him if this was true, and he told me, that there was something more than that, and then seeing him again, about 2 Months before I was brought to bed, he told me that he had something to tell me, that he must now let me know, with that he fell on his Knees, hung his Head down, and said that there he would remain till I bid him rise, says he, do you know where you directed your Letters to me my Name is not Parminter, but it is Bury, that he had suffered a great deal for me, and he begg'd that I would keep it a secret, and said that as he had D—d himself for me, he hoped that I would not hang him, and that if I had no regard for him, I should consider what uneasiness it would be to my own Family, I let him remain

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upon his Knees, till he got up himself; then he put my Hand up to his Eyes to feel his Tears, but I believe he had spit on his Fingers to counterfeit them, and then *that Man*, (*pointing to the Prisoner*) left me, and told me that if I made a Noise, he would never come near me again, and at last went away. Two Days afterwards I was taken exceeding ill, and *that Man*, came to see me, but I could not speak to him.

Counc. After this Discovery, did he come to you again?

S. Proctor. He came 2 Days after and found me exceeding ill.

Counc. Did he come two Days after he said he had d——d himself.

S. Proctor. He did come two Days after he said he had d——d himself.

Counc. After these two Days did you see him.

S. Proctor. I saw him frequently after that, for I was then big with Child.

Counc. When you was brought to Bed, did he come and Father it.

S. Proctor. No, Sir.

Counc. When was you brought to bed?

S. Proctor. I was brought to Bed, October 14, 1740.

Counc. Did he come during your Lying-in.

S. Proctor. He was prodigious ill at the same Time.

Counc. When was the Child christened.

S. Proctor. About a Week afterwards, after the Child was got to Nurse, he came to see it.

Counc. When did the Child go out to Nurse?

S. Proctor. When 6 Weeks old, in *New North-street, Red-lyon-square*.

Counc. Did you discover this to your Friends?

S. Proctor. I did not discover it to my Friends first, but I was determined to discover it to his.

Counc. Who did you discover it to first.

S. Proctor. I discover'd it first to one Mr. Shippen, who was an Acquaintance of *that Man's* there (*pointing to the Prisoner*) that marry'd me; I discover'd it afterwards to one Mr. Fleetwood in the Temple, Brother to his first Wife.

Counc. How long was it after you lay in, that you discover'd it.

S. Proctor. It was about 3 Months after I lay in, after this, I saw him at Mr. Shippen's, in *Boswell-court*, and there I charged him with every thing, as I do now.

Counc. Did he own it.

S. Proctor. No Sir, he said he knew nothing at all of me, and that he had never seen me before, and called God Almighty to witness that he knew nothing at all of me.

Counc. Did he ever make you a Present of any thing.

S. Proctor. Yes Sir, a Gold Seal.

Counc. Is this the Seal.

S. Proctor. Yes, it is.

Counc. Did you ever see him write?

S. Proctor. Yes Sir; I saw him write two Songs once.

Counc. Do you know his Hand if you see it? Look on these Letters?

S. Proctor. There are none here but what are of his writing, and these Letters came from him to me. I had a vast Number of his Letters, but he took them from me.

Henry Parminter was asked if he ever saw the Prisoner write, and said he had.

Counc. Do you believe these to be his writing?

Henry Parminter. I do believe they are.

S. Proctor. He took many Letters from me three Months after I was brought to bed.

Counc. Where did he take them from you?

S. Proctor. At Mr. Williams's, they were in a black Box, and he took them from me by force.

Counc. Was you in the Nature of an Apprentice at Mrs. Davidge's?

S. Proctor. Yes Sir.

Counc. Was you bound to her for any time.

S. Proctor. Yes Sir.

Counc. When a Porter came to you, did you never go with him according to his Message?

S. Proctor. No, never.

Counc. Was you never with the Gentleman at a Bagnio?

S. Proctor. I was with him once after I was married.

Counc. Was you never at a Place known by the Name of the *Turks-Head Bagnio*?

S. Proctor. I never was there with him in my Life.

Counc. You say you was married at *Chelsea*, where did you dine at *Chelsea*?

S. Proctor. At the *Gardiner's House*.

Counc. Did not they call it by the Name of the *Whim*?

S. Proctor. Not as I knew of.

Counc. Do you know the Clergyman's Name that married you?

S. Proctor. Yes Sir, his Name was *Rider*.

Counc.

Counc. Did you ever see that Man before or since?

S. Proffor. I never saw him after he married me.

Counc. Who gave you away?

S. Proffor. There was nobody gave me away.

Counc. What became of the Parson afterwards, did he go to dinner with you?

S. Proffor. No Sir, he wished us both Joy and Happiness, and he said, that he was sure, that he had made him (meaning the Prisoner) happy, and then went away.

Counc. Had you a Licence?

S. Proffor. He told me that he had a Licence; that he left it among some Papers, but was so lucky as to find it afterwards.

Counc. Had not you the Curiosity to see it?

S. Proffor. No Sir, I depended then on every Thing he did.

Counc. You say he went to Exeter, when he returned, how long after was it you saw him?

S. Proffor. I did not see him for three Months afterwards.

Counc. When was it first that you knew his Name was Bury?

S. Proffor. About two Months before I was brought to bed.

Counc. How came you not to prosecute him all this while?

S. Proffor. Because I had no Friend on Earth to go to at that Time.

Counc. Did you go to Mr. Shippen with the Warrant.

S. Proffor. Yes Sir, I did a little after it was taken out.

Counc. Why was he not taken up sooner?

S. Proffor. It was not in my Power to do myself Justice.

Counc. By what Name did you christen the Child.

S. Proffor. Anne Camilla Parminter.

Counc. A very soft Name, how came you to call it so?

S. Proffor. He told me his Sister's Name was Camilla.

Counc. Who was it christened the Child?

S. Proffor. The Clergyman of New-North-Street Parish.

Counc. What was his Name?

S. Proffor. Indeed I don't know what his Name is very well.

Counc. Was you never with him at the Turks-Head Bagnio in Golden-Square?

S. Proffor. Only once.

Counc. What Month was it in?

S. Proffor. It was in the Month of January.

Counc. What Year?

S. Proffor. It was after I was married 4 or 5 Months.

Counc. What was the Reason you consented to be married when Mr. Seaton did not go with you?

S. Proffor. The longer I then knew this Man I had the better Opinion of him.

Counc. You mentioned some Letters dated at Rotterdam, do you know where they were wrote.

S. Proffor. No Sir.

Counc. Were they not wrote at Mr. William's House in your Presence, and at your Request.

S. Proffor. No Sir.

2d Counc. for Prosecutor. Who had you that Seal of?

S. Proffor. Of that Man.

Counc. Was it before Marriage or after it?

S. Proffor. It was the Day we was married.

A Letter was read directed to Mrs. Proffor, at Mrs. Davidge's, Milliner, at the Three Flower-Pots, Tavistock-street, Covent-Garden. Desiring she would condescend to see him once more, and to direct for him at Mr. Bury's in Abchurch-lane. Signed, H. Parminter.

Another Letter,

Rotterdam, June 1740.

Desiring that the Marriage might be kept secret, for his Uncle was such an odd-temper'd Man, that should he hear such a Thing, he would never give him a Groat, and concluded your most affectionate Husband,

H. Parminter.

Another Letter, dated Jan 20. 1740. directed to William Proffor, Esq; in Crutched Fryars. Wherein he declares, that he was married to his Sister, September was twelvemonth, subscribing himself his unknown affectionate Brother,

Signed H. Parminter.

Counc. Mr. Proffor, did you receive that Letter?

Wm. Proffor. Yes Sir.

Counc. Are you her Brother?

Wm. Proffor. Yes Sir.

Counc. Did the Prisoner ever come to your House?

Wm.

Wm. Proctor. Yes, he came after his Marriage with my Sister, and told me, that he came to assure me, that to his Knowledge, my Sister was regularly married; I said to him, I hope you do not come to play Tricks with me, and he said, Oh Sir! not for the World; then said your Humble Servant, and went away.

Person. Did you not tell me that your Sister had told you a great many Stories, of being married to one *Parminter*, that you did not believe her, and would not trouble yourself about her.

Wm. Proctor. I did not.

Mrs. Davidge sworn.

Counc. Where do you live?

Mrs. Davidge. At the Three Flower-pots in Tal-wistock Street.

Counc. Did Mrs. Proctor live with you?

Mrs. Davidge. Yes Sir.

Counc. Did Mr. Bury ever come to see her at your House?

Mrs. Davidge. Yes, he came twice to ask for her, the first Time she was not at Home, and I asked him to leave his Name, and he said, no; he would call again; the second Time he came, he walked in the Parlour, and was there with her, about half an Hour; I took him to be a Relation of hers.

Counc. How long was Mrs. Proctor at your House?

Mrs. Davidge. Thirteen or 14 Months.

Counc. Was she bound to you as an Apprentice?

Mrs. Davidge. Yes Sir.

Counc. Don't you remember any Thing of Porters coming with Messages, and fetching her from your House.

Mrs. Davidge. No Sir; she behaved as civil as any young Woman whatever.

Counc. Did she never lie out of your House?

Mrs. Davidge. Not till the Day she was married, and then she asked me to go to her Brothers.

Counc. Did she acquaint you at that Time, that she was going to be married.

Mrs. Davidge. No Sir.

Counc. Pray by what Name did you call her after that?

Mrs. Davidge. We called her by the Name of *Parminter* before she left our House.

Counc. How long was that before she left you?

Mrs. Davidge. I can't justly tell, she told me

she was married to Mr. *Parminter*, and after she went by that Name.

Counc. When she was with Child, did he give her any Money to be discharged from you.

Mrs. Davidge. She had an ill State of Health, and had the Rheumatism, and I said, I would give her Part of the Money back again; (I had 20 Guineas with her.)

Counc. How much did you give her back?

Mrs. Davidge. I can't tell what I proposed then to return.

Council for Pris. I ask you whether she did not give you Money to be discharged?

Mrs. Davidge. No Sir, I did not receive any Money.

Counc. Did you suspect her to be married, or with Child?

Mrs. Davidge. I did not till she told me herself.

Counc. When did she tell you?

Mrs. Davidge. I cannot tell the Day, nor the Month.

Mr. Winterton sworn.

Counc. Where do you live?

Winterton. At Chelsea, when the Gentleman came to our House, we was cutting up a Pig, and he said it looked very good, and ordered some of it for Dinner?

Counc. When was this?

Winterton. About September the 27th, 1739, after they had dined, he desired me to help him to a Lodging, for him and his Wife near that Place; I called my Wife, and she got one for them at Mr. Singleton's a Gardiners.

Mrs. Singleton. I live at Chelsea.

Counc. Do you know that Gentleman? Did he lodge at your House?

Mrs. Singleton. Yes.

Counc. How long ago was it?

Mrs. Singleton. It is three Years ago come next Michaelmas.

Counc. Who was with him?

Mrs. Singleton. That Lady Sir, (pointing to Mrs. Proctor.)

Counc. In what Manner did they live at your House, as Man and Wife?

Mrs. Singleton. They went for such to us, and lay together.

Counc. Did they lodge there as Man and Wife?

Mrs. Singleton. Yes Sir.

Mary Jones. I live in King-street, Golden-square

I knew Mrs. Proctor before she was married, she lodged a Month at my House after her Marriage, the Prisoner came to see her, and did not like the Lodgings.

Counc. By what Name did she go by at your House?

Mary Jones. She went by the Name of Parminter.

Counc. Did you take him for her Husband?

Mary Jones. No, I took him to be a Friend of her Husband's.

Eliz. Williams sworn.

Counc. Did you ever see the Prisoner before?

Eliz. Williams. Yes, Sir, many Times at my House; the Day the Lady was to come to my Lodgings he came and met her there, as a Friend of her Husband's.

Prisoner. Did I ever lie in your House?

Eliz. Williams. No, Sir.

Counc. How long did she lodge at your House?

Williams. About 14 Months from Aug. 13, 1740.

D E F E N C E.

Prisoner. The first Time I saw this Mrs. Proctor was by Accident, I met her in Cannon-street, she had a Hat over her Face, I took her by her Air to be a Mistress of the Town, I followed her, and spoke to her, and asked her Name, which she immediately told me; I asked her to drink a Glass of Wine, she said she could not then stay, and was going to a Persons in the City, but I live says she at Mrs. Davidges a Milliner, at the 3 Flower-Pots in Tavistock-street, Covent Garden, and there you shall be welcome to drink a Dish of Tea; in 2 or 3 Days after I went to see her, the first Time she was not at Home, the second Time I found her at Home, and we drank Tea together, when we had so done, I told her I should be glad of an Opportunity of seeing her abroad, and she said, if I would send a Message to her she would come, or let me know why she could not by a Letter. I told her to direct her Letter to Mr. Parminter, to be left at my House, that if the Letter came directed to me it might fall into my Wife's Hands, and the Thing would be discover'd; upon this she directs a Letter to Mr. Parminter, to be left at my House, which my young Man received; and gave to Mr. Parminter, who afterwards told me he had received such a Letter, but could not tell what to make of it, but he thought it might

come from an old Mistress of his. After this I sent a Porter to Mrs. Proctor from under the Piazza's in Covent-Garden, and she came to me, and said that at Time she was very busy, that if I came another Day she might be more at Leisure. The next Time I sent a Porter again, and she came to me, and I called a Coach, and we went to a Bagnio, I took her up into a Room, and told her here we was private, and might stay all Night; she did not deny me any sort of Freedom, (I must do her that Justice) I sent a Porter another Time, and she came to me, and said, if you will get me a Lodging I will go with you. This second Time I had her out to the Park, and walking near Rosamond's-Pond there was some Trees cut down, which serv'd us for a Bed, and there I told Mrs. Proctor my Name was Bury, and that I was a married Man, and said, if you will give me the Pleasure of your Conversation I shall be very much obliged to you, from that Time she sent Letters to me directed to be left at Will's Coffee-House, Cornhill. After this I went up to Jenny's Whim at Chelsea, and I asked the Man of the House to get me a Lodging, and I declare I did say that it was for my Wife, and I should bring her next Week, it was at Mr. Singleton's. The next Week she went with me, I called upon her at Mr. Seaton's in Suffolk-street, there was two Ladies at the Door, and we drove to Chelsea, went to the Whim and bespoke a Dinner; I enquired how long it would be before Dinner would be ready, and in the Interim we took a Walk in the Garden, after that went to dine at Mr. Singleton's where the Lodging was taken; and lay there two Nights; then we came down by Water, I was landed at Billingsgate, and she said she was going to her Sister's. Soon after that I went out of Town to Exeter, and saw no more of her till the Month of January, and indeed I heartily repent that I ever saw her; I believe at Will's Coffee-House I received 100 Letters from her. After I came to Town she sent a Letter desiring to see me, and that she must speak with me, or otherwise she would come to my House, accordingly I met her in Somerset-Garden, and she told me a Story of her being under great uneasiness, because Mrs. Davidge had discovered that she did not come to her Brother's House till Saturday Night, and she said that made her very uneasy; I asked her if she could go out with me to Night, she said she would go with me any where, I then said we will go to a Bagnio, the next Morn-
D ing

ing I brought her Home again. This was the second Time we had been there, and the Woman Waiter gave her a Handkerchief she left there the Time before. Some Time after this about *Midsummer*, she said she was out of Order, and was with Child, and that Mrs. *Davidge* had a Suspicion of it, says I, I am very busy now and left her. I met her a second Time, and she said that Mrs. *Davidge* has intercepted some Letters, that she was big with Child, and threaten'd to tell her Brother of it; she said that her Mistress had 40 *l.* with her when bound Apprentice, and that she expected 20 *l.* more if she quitted her Service. Says I, you must see and moderate the Matter with your Mistress; however I was to meet her again, and when I met her she told me that she had prevailed on her Mistress to take 12 Guineas, says I, you should speak to your Brother, it is a most abominable Imposition on me; she wept, and asked if I would let her have the Money, says I, I will give you 6 Guineas, which I did then give her to get rid of her; afterwards she told me at another Time that she had brought her Mistress down to 10 Guineas, and I gave her 4 more, and then she said she would look out for a Lodging, which when she had done she sent to me to come to her there, I saw it was a little poor Lodging, and she said she did not intend to stay there, and would look out for another. After this she sent me Word that she had found another Lodging, but refused being taken in except somebody knew her, she said she had mentioned my Name, I went up there, and the People of the House asked me if I knew one Mrs. *Proffor*, I said, yes, and then they took her in; after this she grew near her Time, and when she was brought to Bed she came to me, and asked me to go and see the Child, I said it was no Business of mine, and I did not go to see her for 6 Weeks or two Months after, and then the Child was at Nurse in at the next Door; she would have sent for it for me to see it, says I, I don't want to see the Child, in short, she prevailed with me at last to go and see it, and there the Nurse was, and that was the only Time I ever was there. After this she came to me, and said her Brother would be reconciled to her if I would go and tell him that she was married to Mr. *Parminster*, *Parminster*! says I, how can you mention such a Name, Mr. *Parminster* is a first Cousin of mine, says she, if you will write a Letter in the Name of *Parmin-*

ter that will satisfy my Brother, I shall go out of Town and never return again; why, says I, a Thing of this Nature may be of ill Consequence, Mr. *Parminster* is in London, and will (provably) find it out, but however, by her Intreaties and Tears I was at length very foolishly brought to a Compliance, and I wrote while she was by me, and directed it, she would have me send it myself, and I said no, at the same Time I wrote Letters to her in the Name of *Parminster*, as from *Rotterdam*, there was no Post Mark upon those Letters, that I wrote them is very certain, and this she said would satisfy her, accordingly I did do it, and heard no more of her till some Days after; then she told me her Brother was not yet satisfied, but insisted upon seeing me, who was a supposed Friend of her Husband's, says I, I don't know your Brother, if he will not believe it I can't help it, says she, why will you not be so good as to go, it is but to *Crutebed-Fryers*; at last one Morning I went, and waited for him, he came down, then I told him I waited on him at the Desire of his Sister. Sister, says he! I say Sister, Sister tells me many Stories of a Cock and a Bull, and tells me of being married to one *Parminster*, but I do not believe any Thing about it. I said if he did not believe it 'twas no Fault of mine. After this she came to my House, and found me at Home, and said if I would write her a Letter of Recommendation, it would help her off with the Child; accordingly I did write a Letter, and in it represented that I knew her, and thought her an Object of Compassion, (while I was writing this my Wife came into the Counting-House) and told her this is the last Thing I can or will do for you, and when I had so said she went away, and I saw or heard nothing of her till 3 Months after that, when Mr. *Shippen* acquainted me that a Woman told him a Story about a Bond; after that she desired to see me there, accordingly I went, and there she run on a rig-me-roll Story, and said, that I had married her at *Chelsea*; when she charged me with it, I flew into a Passion, and quitted the Room, or otherwise I might have done her a Mischief. Mr. *Shippen* afterwards asked me why I could not keep my Temper, says I don't talk to me, I happen'd only to pick her up as a common Woman, afterwards she went to my Brother-in-law's, but however he did not think fit to send to me, but when he saw me told me, that there was a Woman that said she was married to me but,

but bid me take no Notice of her, for he supposed she only wanted to get a little Money out of me. After this I heard no more of her, till she had applied for a Bill of Indictment, which was in *January* last, the Sessions passed over and no Notice taken of it, at last brings a Warrant to Mr. Shippen, here is says she, a Warrant, and if he does not comply he will be taken up in in two or three Days Time. Mr. Shippen after told me of this, and I could not believe it; says he, you must go and enquire, and upon Enquiry I found it was so, and when I found it, I immediately gave Notice of Trial, why, says my Brother, says he, they only want a little Money of you, you had better give it them. No, says I, as it is made public I will at all Events bring it to a Hearing.

James Legg. Sworn. (*seeming much afflicted with the Palsy*)

Counc. What is your Business?

Legg. A Porter in *Covent Garden*.

Counc. Was you so in the Year 1739?

Legg. I have been a Porter this 30 Years.

Counc. How long have you been in this bad Condition?

Legg. About 4 Years.

Counc. Do you know Mr. Bury.

Legg. Yes, Sir.

Counc. Did you go for him to one Mrs. Davidge's to enquire for any one, with a Message.

Legg. Yes, Sir.

Counc. Who was it you went to enquire for?

Legg. I enquired for one *Sarah Boulton*.

Counc. How many Times did you go for her?

Legg. About half a dozen Times.

Counc. Where does Mrs. Davidge live.

Legg. In *Tavistock street*, *Covent-Garden*.

Counc. What Business was the?

Legg. A Linen.

Counc. Was it a Man or Woman who keeps the Shop.

Legg. A Woman.

Counc. Can't you recollect what Business?

Legg. Yes, a Milliner.

Counc. Pray what was the Name you went to ask for?

Legg. I went and asked for one *Sarah Boulton*.

Counc. Should you know her again if you saw her?

Legg. Yes, there she sits (*pointing to Mrs. Proctor*).

Counc. Was she always ready to come?

Legg. Yes, she was always ready.

Counc. How many Years ago was this?

Legg. This Summer was 2 Years.

William Best sworn, but not examined.

Alice Lee sworn.

Counc. Where do you live?

Alice Lee. At the *Turk's-Head Bagnio* in *Golden-Square*.

Counc. Do you know Mrs. Proctor?

Alice Lee. I have seen her twice at our House with that Gentleman.

Counc. When was that?

Alice Lee. A little before I came away. She left a Cambrick Handkerchief the first Time; I did not think ever to see her again, but when they came the second Time I knew them.

Counc. Pray what did you hear the Gentleman call her?

Alice Lee. I heard him call her *Sally*, and they went into a Room, and I asked if she had not left a Handkerchief here, she said, yes.

Prisoner. Did you take us to be Man and Wife?

Alice Lee. No, Sir.

Prisoner. How long did we stay the first Time?

Alice Lee. All Night.

Prisoner. How long the 2d Time?

Alice Lee. Some Hours.

It was taken Notice of that this was after the Marriage.

Hugh Bennet sworn.

Counc. Do you know *Sarah Proctor*?

Hugh Bennet. Yes, Sir.

Counc. Where do you live?

Hugh Bennet. I live at Mr. Bury's.

Counc. Do you remember any Thing of Mrs. Proctor's coming there in *March* last was twelve Months.

Hugh Bennet. She came 2 or 3 Times one Afternoon, and enquired if he was within? I answer'd No, at last says she, I beg Leave to stay till he does come in; in a very little Time Mr. Bury came in, and went into the Parlour with her, and then into the Compting-House, and there was a writing, but what passed I do not know.

Counc. Did she see Mrs. Bury?

Hugh

H. Bennet. After they had been some Time in the Compting House, Mrs. *Bury* came down Stairs, and went into the Compting House to them, but what passed I cannot tell. Mrs. *Proctor* saw Mrs. *Bury*, and took her Leave of her, and went out.

Counc. Do you know of any Letters sent to your House, directed for Mr. *Parminster*?

H. Bennet. Such Letters came often to our House; Mr. *Bury* read one of them, then flung the Letter into the Fire; before it was quite burnt, it went out, and one of the Maids I believe, had a Suspicion of something, — caught it out of the Fire, before it was extinguished.

Counc. Have you got it here?

H. Bennet. No, I have lost it.

Frances Lock sworn.

Counc. Where do you live?

F. Lock. At a Public House at *Chelsea*.

Counc. Do you know any Thing of Mrs. *Proctor*?

F. Lock. Yes, I have seen her twice: She came in Company with several Persons, to our House, she went up Stairs, and told me, she was married in my Room, and desired to know if I knew any Thing of the Wedding, I said I knew nothing of it to my Knowledge, and that it was a very odd Thing for any one to offer to have a Marriage there, and not acquaint me with it.

Counc. Pray can't you recollect that about *Michaelmas*, 1739, three Persons, a Man, Woman, and a Clergyman, came to your House, and was up Stairs together?

F. Lock. I know nothing of it, it was a wrong Thing, if it was done, afterwards Mr. *Bury*, came and asked me about the same Thing.

William Lock sworn.

Counc. Did you ever see Mrs. *Proctor* at your House?

W. Lock. Never but twice; the first Time was about four Months ago, and she asked me if I saw three People come in a Coach, then went up Stairs, and staid there a little while, and neither eat nor drank, and came down again; one Mr. *Compton* ask'd several Questions about the same Matter, whether I could remember any Marriage about two Years ago, and I said, I could remember nothing of it.

Council to Mrs. Proctor. I beg Leave to know how you got into the House?

Mrs. Proctor. The Coach stop'd there with that Man in it along with me, there was that Woman stood at the Door with a Child in her

Arms, he, the Prisoner, walked up, and I follow'd, and the Clergyman came into the Room immediately afterwards.

Counc. Did nobody introduce you into the room?

Mrs. Proctor. No body: After we was married, that Man and I came down Stairs, and went into the Coach, and the Clergyman went away.

Mrs. Lock was asked whether she ever remember'd a Coach coming to her House with three People in it: Said, she remember'd to have been told, that three People did come in a Coach whilst she was gone to buy Vinegar, but was gone before she came back.

Counc. How long was that ago?

Mrs. Lock. About five Years ago.

Counc. How often did Mrs. *Proctor* come to you about this Affair?

Mrs. Lock. About five or six Times.

Court. You said first it was but twice, now you say 5 or 6 times.

Mrs. Lock. I am sure it was 4 times.

Mary Ham sworn.

Counc. Do you know Mrs. *Proctor*?

Mary Ham. Yes Sir, she asked me if I remember'd any private Wedding, and I said no: Then she asked me, if I remember'd a Coach coming there with 3 People in it: I said I did remember something of a Coach coming there with 3 People in it, about 5 or 6 Years ago, when Mrs. *Lock* was gone out to buy Vinegar.

Court. How old is your Child?

Mary Ham. If it had lived it would have been five Years old.

Court. How old was your Child when the Coach came to the Door?

Mary Ham. I can't tell.

William Raine sworn.

Counc. Was you in *Woodstreet-compter* in January last.

W. Raine. Yes Sir.

Counc. Do you know one Mr. *Compton*?

W. Raine. Yes Sir, I saw him in *Woodstreet-Compter* about the beginning of January last, he call'd Mr. *Rider*, and I went down to drink a Pot of Beer in the Cellar.

Counc. Do you know what pass'd betwixt them?

W. Raine. I know nothing but what Mr. *Rider* told me afterwards.

Court.

Court. That is no Evidence.

Mr. Kelk, sworn. I have known **Mr. Bury** this 18 Years, and have dealt with him for a great deal of Money.

Court. What is his private Character as to Chastity?

Kelk. If I may go by hearsay, I have heard he has been addicted to Women.

Mr. Winterbottom, sworn. I have known **Mr. Bury** 22 Years, and he always bore the Character of a very fair Trader.

Rev. Mr. Bourn. I have known him between 10 and 15 Years.

Court. What is his general Character?

Bourn. His general Character is that of a good Neighbour and Parishioner, I never heard any Thing bad of him.

Court. Do you think he would not converse criminally with a Woman?

Bourn. That I will not take upon me to say.

Mr. Eldrige. I have known **Mr. Bury** 20 Years.

Court. Do you think he would be guilty of such a Thing as he is charged with.

Eldrige. I believe not.

Mr. Brown. I have known him these 20 Years.

Court. What Character does he bear?

Brown. Bears the Character of a considerable Dealer and an honest Man.

Court. Do you think he would be guilty of the Fact he is charged with?

Brown. I have heard the whole Charge, and I can't think he would be guilty of such a Crime.

Alderman Lambert. I have known him more than 20 Years, I know him to be a considerable Dealer, I know nothing of his private Character.

Upon offering to call Witnesses to the Character of **Mrs. Proctor**, the Court declared it was sufficiently cleared already.

The Jury went out, and after a short Stay brought the Prisoner in Guilty of the Indictment.

21. **Cecilia Wilson**, of **London**, Spinster, was indicted for stealing six Spoons, value 25 s. a silver Snuff-box, value 12 s. and 2 Tea-spoons, value 3 s. and other Things, the Property of **Jacob Lindo**, a Jew, May 21.

J. Lindo sworn, his Hat being off.

Juryman. I desire to know if he thinks an Oath taken to be equally binding, with Hat off, as on.

J. Lindo. I think it equally binding, but will do it as his Lordship pleases. The Court was satisfied with the Oath he had taken.

J. Lindo. This Day fortnight, when I came down Stairs in the Morning, my Servants told me that the Prisoner was gone, and they were afraid that something might be missing, I ex-

amin'd the Plate, and found wanting 6 silver Spoons, and 2 Tea-spoons, and when I dress'd myself, I missed my silver Snuff box; the Prisoner, who was my Servant, never appeared any more at our House; I publish'd a Reward in the public Papers, and caused Notice to be given from **Goldsmith's Hall**, the Prisoner was taken up this Morning with the Goods; I had her before a Justice, where she was examined, and she said, she was sorry that she had committed the Fact, and that some body had persuaded her to it.

J. Johnson. The Prisoner at the Bar was coming up **Old Gravel Lane** this Morning, and two Women with her, they met me, and said, they wanted a Constable to take a Woman that had robbed a Jew, and said, she had the Goods about her: I said, I was a Headborough, then one of the Women made a snatch at her Pocket, and her Landlady took out a Snuff-box, a silver Spoon, and a Tea-spoon, and said, that there was more Things belonging to **Mr. Lindo**, a Shirt, and a Sheet, the Prisoner said, she had nothing else, for a Man had made them away; the Things were produced in Court, and **Mr. Lindo** claimed them to be his. Guilty 10 d.

22. **Michael Grant**, of **London**, Labourer, was indicted, for that he, not having the Fear of God before his Eyes, but being moved by the Instigation of the Devil, of his own Malice and Forethought, did willfully make an Assault on **Alice** his Wife, and with a clasp'd Knife, gave her one mortal Wound, the Depth of four Inches, in her Belly, of which Wound she instantly died. May 23.

He was likewise a second Time indicted on the Coroner's Inquest for the same.

At the Prisoner's Request, the Witnesses were examined a-part.

Mary Jones sworn.

Court. Do you know the Prisoner at the Bar?

Mary Jones. I have known him a pretty while, I and his Wife likewise; they had Words for a Week before this Murder happened.

Court. When did this happen?

M. Jones. The 23d of May the Murder was committed: Going by the Door, and knowing them to be at variance, and hearing them quarrelling, I went in; and the Deceased asked me to look for a Pack of Cards, she (the Deceased) looking on the Shelf, saw a Coffee-cup, and said, it was hers, and swore she would have it, the Prisoner swore she should not; then she swore again she would, and with that, he gave her three or four Blows on the Face, and said, if she would not lay it down, it should be the worse for her, and then beat her very much; with that she pulled a little Knife out of her Pocket, and

swore she would kill him, or be killed; she did not offer to open the Knife, but put it into her Pocket again; then he pulled out of his Pocket a large Clasp Buckhorn Handle Knife, and swore if she would not begin first, he would; with that, he run up to her, and thrust it into her Breast as far as it would go, then the poor Creature came and took hold of me, and bled upon me, and she said, God Almighty forgive him, for I did, and she spoke no more, but died away our eyes.

Court. How long did she live after the Wound was given?

M. Jones. A few Minutes: They had had some Words for a Week before, and she lived with me.

Court. Was you present at any Dispute before she was killed?

M. Jones. No Sir.

Court. Did they live together as Man and Wife?

M. Jones. Yes, for about 12 Months.

Prisoner. Is your Name Jones?

M. Jones. Yes.

Prisoner. And please you my Lord, her Name is not Jones; did you see any Knife in my Hand?

M. Jones. Yes.

Prisoner. Did she not threaten my Life?

M. Jones. My Lord, she threaten'd his Life, and took a little Knife like a Penknife out of her Pocket, but put it up again without offering to open it.

Edward Standin. I was in the House when the Murder was committed, but did not see him strike her; there were Words arose about a Coffee-cup, and she pulled out a Knife without offering to open it, and put it into her Pocket again; in a short Time afterwards, Mary Jones said, O Lord! he has stabb'd her, and I looked and saw she bled very plentifully, the Knife fell down between the Bed and the Drawer; I went to Doctor Hazleworth, and he came.

Court. Was she alive when the Doctor came?

Standin. Yes.

Court. How long did she live from the Time she receiv'd the Wound?

Standin. She liv'd about a Quarter of an Hour.

The Knife was then produc'd in Court.

Court. Is that the Knife?

Standin. Yes, my Lord, that is the Knife with which the Murder was committed.

Prisoner. Pray was not I in Bed when you came, and did not you strip on purpose to fight me?

Standin. No; There was a Warrant in

the Pocket of the Deceased, where she had sworn her Life against him, she had a Mark upon her Breast, as broad as a Crown Piece, and as black as ever you saw any thing in your Life, but this Mark she had before this Murder happen'd.

Mr. Whittell. Please you my Lord, the Quarrel first begun about a Tea Cup, she took it up in her Hand and said it was hers, and would have it, and he said if she took any thing out of his House he would beat her, but she insisted on keeping it, and he gave her two Blows on the Face; she took then a little clasp'd Knife from her Pocket, and swore she would either have his Life, or he should have her's.

Court. What did she do with the Knife?

Whittell. I can't tell what she did with, for I saw it no more, and I did not see when the Wound was given, but when I saw Blood I thought her Finger was cut, and as soon as I understood the Wound was given, I went out, and can't tell how long she lived after it.

Samuel Fletcher. My Lord, last Sunday 7-night, I saw a Concourse of People, and I went into the Room and saw a Corpse lie on the Floor, a Coroner was sent for, and I found a Wound in the Abdomen about 3 quarters of an Inch long, and when I open'd her Body, another in the Liver, about 2 Inches and a Quarter deep, which I believe was the Cause of her Death.

John Jones. My Lord, I had been along with my Wife, my Father and Mother, and coming by where the Prisoner lives, I heard a Noise and went in, and I found the Deceas'd had taken up a Cup, and the Prisoner desired her to lay it down again, and she said she would not, upon that, he (the Prisoner) struck her 2 or 3 blows; she then pull'd out a Knife from her Pocket, and swore she'd kill, or be kill'd, and then he run up to her, and said, that is what I wanted, and I'll begin first.

Prisoner. Did you hear me say so?

Jones. Yes, and he run up to her, and I thought he struck her 'till I saw him fling the Knife down, and said, Lord! Lord! what have I done?

Jury. Did you see him stab her with the Knife.

Jones. No, I saw him run at her.

Prisoner. My Lord, she run at me.

Jones. She sat by the Dresser, when he run at her, and I saw the Blood flie upon my Wife's Apron.

Court. Did you stay there 'till she died?

Jones. Yes, my Lord, but before she died he desired a Surgeon might be fetch'd, when the Surgeon

geon came, the Prisoner said to him, If you can save her Life this Time, I will never do the like again, and the last Words she said to him was, *The Lord forgive him for I do.*

Court. Who was the Surgeon?

Jones. I don't know the Man's Name.

Court. Was she alive when the Surgeon came?

Jones. Yes, my Lord.

Court. How long did she live after he came?

Jones. A small Time.

Prisoner. I desire to know if *Jones* has a Wife?

Jones. Yes, my Lord, the Blood of the Deceased flew upon my Wife's Apron (*The Apron was produced in Court stained with Blood*).

John Corbet. I and another went into the Prisoner's House who sold Drams, and we called for one, and whilst we were drinking it, the Deceased took a Cup from the Shelf, and he damn'd her, and told her she should not have it, she said she would, and he struck her 2 or 3 Blows, and after that she went and sat down, and got up again, and went to kiss him, and he struck her again, then she took a Knife out of her Pocket, and put it up again, without opening it, and the Prisoner went up to her, and I thought he went to strike her as before, I did not observe any Knife in the Prisoner's Hand, and when I saw the Blood run down I was frighten'd out of my Wits, and he sent for a Surgeon, and said, *for God's Sake save her*; afterwards went out of the House, and was taken in *Hog-Lane*.

Stanton. Last Sunday Sen'night I went into the Prisoner's House to drink a Dram, and after that I went to the back Window and staid there, but heard no Words, nor saw no Blows, when I turned about I thought I saw Blood, and when I ran in I saw it was the Deceased that bled, I have nothing more to say.

Counc. Did they live together?

Stanton. They liv'd together about 10 or 11 Months.

Court. Did they pass as Man and Wife?

Stanton. He always acknowledg'd her as his Wife.

The Prisoner then called several for his Character.

Thomas Markham. I have heard the Prisoner forwarn this Woman (the Deceased) his House several Times, she came and bred Riots, and threaten'd his Life more than once or twice the Saturday Night before this happen'd, I was present when Mr. Grant was coming along, she said she was determin'd to stick a Knife in him.

W. Chambers. Mr. Grant took an Apartment

of mine, and the Deceased and he liv'd about 10 Weeks in it, that's all I have to say.

Daniel Wells. I have known the Prisoner from a Child, he always behaved honestly, was a Weaver, and one that worked hard for his Livelihood.

Sarah Danicore. I have known him ever since he was born, and his Parents, he was always a very sober Man, and a very hard worker for his Bread.

John Gerraaw. The Prisoner work'd for me about a 12 Month, and lived next Door to me about a 12 Month after, he did his Work very faithfully and honestly.

Mr. Pearson. I have known the Prisoner a great many Years, we were School-fellows together, and I never heard any Harm said of him or his Mother, and this is all I have to say in his Behalf.

Richard Whittingham. I have known the Prisoner about 2 Years, I keep a Publick-House, and he came as an another Man may do to my House, and what he called for he paid for.

Court. Did you know his Wife?

Whittingham. No, Sir.

Mary Christopher. I have nothing to say, but that the Prisoner worked for me in the Weaving Business, and behaved very well.

Eliz. Cross. I have known the young Man a great while, almost ever since he was born, he was brought up within 4 Doors of me, he always appeared to be a very honest saving young Man, I keep a Publick-House, and I never knew him breed a Quarrel in my Life.

Eliz. Tipping. I have known the Prisoner 8 or 9 Years, I keep a Chandler's Shop next Door to him, he always behaved very well in the Neighbourhood, I never heard he had a Wife, he lived with a Woman, but I believe they lived together not as Man and Wife.

Court. Did you ever hear they liv'd together not as Man and Wife?

Tipping. Yes, Sir.

Thomas Markam. I have known the Prisoner about 18 Years, and never heard that he wrong'd Man, Woman or Child, in my Life.

Robert Brittonham. I have known him ever since he was a Child, and never heard any ill of him, he always was a hard working young Man:

Defence.

The Deceased drew her Knife, and swore she would have my Life, or I should have hers, upon which I drew my Knife in my own Defence, and she run up against it, and stabb'd herself Guilty, Death.

23. *Mary Atking*, was indicted for stealing a Glass Lamp, the property of the City, May 6. Guilty 10 d.

24. *Stephen Price*, was indicted for stealing a silver Watch, value 38 s. the property of *Thomas Howard*, May 29. Guilty.

25. *Richard Parker*, indicted for Perjury, first Pleaded not Guilty, and afterwards withdrew his former Plea, and Pleaded Guilty.

26. *Thomas Walker*, indicted for Perjury, and no Evidence appearing he was acquitted.

27. *Francis Pott*, was indicted for Perjury, and no Evidence appearing he was acquitted.

28. *Henry Rooke*, was indicted for defrauding the Corporation for the Relief of Poor Clergymen's Widows, of several Sums of Money, by means of false Certificates, having receiv'd five Pounds Annually for 22 Years last past, as a gift to his Mother, she being the Widow of a Clergyman Deceas'd, pretending her alive, when in fact she has been Dead all the while, he pleaded not Guilty, but afterwards begg'd leave to retract his former Plea, and pleaded Guilty.

James Annesley and *Joseph Reading*, were brought to the Bar, in order to take their Tryals for a Murder committed near *Stains*, on a Man when Fishing, the Court being cleared, the Jury sworn, and the Indictment read over, he begg'd leave to be heard a few Words, and then said, My Lord, I observe I am indicted by the Name of *James Annesley*, Labourer; and notwithstanding, I claim to be Earl of *Anglesea*, and a Peer of this Realm, I submit to plead not Guilty, to this Indictment, and put myself on God and my Country, out of a Consciousness of Innocence, and an Earnest Desire of being acquitted of a Crime so unbecoming the Dignity I Claim.

N. B. Whoever presumes to print any of these Trials will be prosecuted with the utmost Severity.

The Trials being ended, (the Court proceeded to give Judgment as follows:

Received Sentence of DEATH, 2.

Thomas Miller, and *Michael Grant*.

BURNT in the HAND 1.

William Bury alias *Parminster*.

To be WHIPPED, 5.

Deborah Fisher, *Mary Alsop*, *John Higginson*, *Mary Atkins*, and *Garrat Vandyke*.

TRANSPORTATION, 8.

William Shad, *Cecilia Wilson*, *Anne Godfrey*, *Martha Terry*, *Mary Hales*, *William Fairfax*, *Elizabeth Barber*, *Stephen Price*.

Henry Rooke was ordered to stand twice in the Pillory, one time in *Salisbury-Court*, the other at *Cheapside-Conduit*, and be imprison'd for three Months. *Richard Parker*, was ordered to set on the Tumbler of the Pillory, on account of his ill State of Health.

His Majesty having been graciously pleased to extend his Mercy to *Thomas Cross*, who was convicted for Forgery in the Year 1738, he was call'd to the Bar, and Pleaded his Majesty's Pardon, upon Condition to be Transported for Life, whereupon Sentence according was pronounc'd on him.

The next ensuing Sessions to begin on *Wednesday* the 14th of *JULY* next, at Eight o'Clock in the Morning.

Sir ROBERT GODSCHALL, Knight, Lord-Mayor.

GOD Save King **GEORGE**.

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